THIS BOOK
MUST NOT BE REMOVED
FROM THE LIBRARY

UNIVERSITY OF LONDON LIBRARY

REFERENCE ONLY

PARL. PAPERS
OR REFERENCE ONLY.

University of London

Presented by
the Worshipful Company
of Goldsmiths,
1903.

619843

FOI

THE

PARLIAMENTARY

DEBATES

New Series.

VOL. IV.

TABLE OF CONTENTS

TO

VOLUME IV.

NEW SERIES.

I. Debates in the House of Lords.
II. Debates in the House of Commons.
III. King's Speeches.
IV. Parliamentary Papers.
V. Lists.

I. DEBATES IN THE HOUSE OF LORDS.

1821. *Page*
Jan. 23. Address on the King's Speech at the Opening of the Session ... 3
25. Petitions relative to the Queen 104
Naples—Declaration of the Allied Sovereigns at Troppau 116
Feb. 5. Petition from Birmingham relative to the Decline of Trade...... 350
19. Naples—Conduct of the Allied Powers 742
20. Queen's Annuity Bill 797
21. Foreign Trade—Commerce of the Country 824
26. Law of Treason—Ireland.. 938
Mar. 2. Naples—Conduct of the Allied Powers 1039
27. Naples 1468

II. DEBATES IN THE HOUSE OF COMMONS.

Jan. 23. Motion for Papers relative to the Omission of the Queen's Name in the Liturgy.. 26
Address on the King's Speech at the Opening of the Session ... 37
24. Conduct of Ministers 65
Petitions relative to the Queen 65
Address on the King's Speech at the Opening of the Session ... 95
The Queen—Liturgy 103
26. The King's Answer to the Address 119

TABLE OF CONTENTS.

Page

Jan. 26. Petitions relative to the Queen 119
Committee of Supply 138
Lord Archibald Hamilton's Motion respecting the Omission of the Queen's Name in the Liturgy 139
31. Petitions relative to the Queen 221
Petitions for a Reform of Parliament 222
Petitions relative to the Queen 228
Provision for the Queen—Communication from her Majesty ... 236
Feb. 1. Petitions relative to the Queen 280
Bank Notes 286
Breach of Privilege—Complaint of an Address published in the London Gazette 288
Revenue Accounts 298
Provision for the Queen 308
2. Petitions relative to the Queen 324
Breach of Privilege—Complaint of an Address published in the London Gazette 338
Bank of Ireland 339
Navy Estimates 342
5. Agricultural Distress 360
The Marquis of Tavistock's Motion relative to the Conduct of Ministers with regard to the Proceedings against the Queen .. 361
6. Water-Works—Supply of Water to the Metropolis 422
Motion for a Committee to inquire into the State of Foreign Trade 425
Slave Trade 428
The Marquis of Tavistock's Motion relative to the Conduct of Ministers with regard to the Proceedings against the Queen.. 429
8. Petitions relative to the Queen 511
Trade of Birmingham—Petition of the Merchants 523
9. Timber Duties—Petition from New Brunswick in favour of ... 542
Censorship of the Press in India 553
Petitions relative to the Queen 553
Petition from Chester, complaining of the Conduct of the Sheriff 554
Detention of a British Subject at Ghent—Petition of W. M'Dougall 562
Motion for defering the Committee of Ways and Means 563
Motion respecting the President of the Board of Control 574
12. Machinery—Petition of Rope-makers 579
Petitions relative to the Queen 580
Grampound Disfranchisement Bill 583
Queen's Annuity Bill 606
13. Petitions relative to the Queen 608
Mr. Smith's Motion for restoring the Queen's Name to the Liturgy 620
14. Laws respecting the Admission of Attorneys and Solicitors ... 666
Conduct of Sheriffs in refusing to call County Meetings 667
Scotch Juries Bill 670
Smuggling Prevention Service 681
Malt Duties Bill 683

TABLE OF CONTENTS.

Page

Feb. 15. Case of the Bowditches 687

The Queen—Church of Scotland 689

Court of Admiralty in Scotland—Compensation to Clerks 715

16. Scotch Juries Bill 717

Irish Union Duties 720

British Museum 723

Mr. Hume's Motion for submitting the Ordnance Estimates in Detail 726

19. Hull Poor Rates Bill 795

20. Prevention of Bank Forgeries 803

Nottingham Petition for the Impeachment of Ministers 804

Mr. Creevey's Motion respecting the Conduct of the Sheriff of Chester 811

Bill for Abolishing the African Company 823

21. The Queen—Milan Commission 836

Naples—Conduct of the Allied Powers 837

22. Agricultural Distress 895

Dublin Petition complaining of the Conduct of the High Sheriff 901

Addresses for Money—Standing Order 917

Conduct of Mr. Justice Best—Petition of Thomas Davison 918

Ionian Islands 933

26. Scotch Court of Admiralty—Compensation to Clerks 939

Corn Averages 940

Capital Crimes Defence Bill 945

27. Metropolis Turnpike Trusts 946

West India Dock Company 947

28. Execution of Murat 948

Petitions respecting the Roman Catholic Claims 949

Mr. Plunkett's Motion for a Committee on the Roman Catholic Claims 961

Mar. 1. State of Education in Ireland 1034

2. Resolutions respecting the Roman Catholic Claims 1066

Grampound Disfranchisement Bill 1068

5. Grampound Disfranchisement Bill 1077

Husbandry Horses 1078

Transfer of Stock 1082

Mr. Ellis—Duties of a Master in Chancery in Ireland 1084

6. Mr. Maberly's Motion respecting the State of the Revenue, and the Repeal of the House and Window Duties 1100

7. Petition of N. Broadhurst, complaining of Ill-treatment in Lancaster Castle 1118

Petition of Thomas Davison—Right of Judges to fine a Defendant during the course of his Defence 1132

Mr. Gooch's Motion for a Committee on Agricultural Distress 1139

Criminal Law in Ireland 1161

9. Breach of Privilege—Complaint against "The Morning Chronicle." 1162

Petition of Charles Hill, complaining of Ill-treatment in Ilchester Gaol 1170

Army Estimates 1172

Page
Mar. 9. Army Estimates.......... 1176
12. Petitions respecting the Roman Catholic Claims 1184
Army Estimates.......... 1186
14. Vagrant Laws 1216
Mr. Robert Smith's Motion respecting the Austrian Loan 1219
15. Breach of Privilege—Complaint against "The Morning Post".. 1246
Carlisle Election—Interference of the Military 1247
Bread 1257
Army Estimates.......... 1258
County Courts Rate.......... 1264
16. Petitions respecting the Roman Catholic Claims 1265
Roman Catholic Disability Removal Bill.......... 1269
19. Bank Cash Payments Bill 1315
Grampound Disfranchisement Bill 1338
20. Petition of Captain Romeo, complaining of Ill-treatment.......... 1345
Naples.......... 1350
21. American Loyalists 1380
Repeal of the Malt Tax 1384
22. Mr. Hume's Motion respecting Receivers-General of Land and Assessed Taxes—and Distributors of Stamps 1401
23. Roman Catholic Disability Removal Bill 1412
25. Roman Catholic Disability Removal Bill 1445
27. Roman Catholic Disability Removal Bill 1473
28. Roman Catholic Disability Removal Bill 1489
29. Napoleon Buonaparté 1495
Roman Catholic Disability Removal Bill 1497
Timber Duties 1500
30. Capital Crimes Defence Bill.......... 1512
Army Estimates.......... 1514
April 2. Roman Catholic Disability Removal Bill 1523

III. KING'S SPEECHES.

Jan. 23. King's Speech on Opening the Session.......... 1

IV. PARLIAMENTARY PAPERS.

31. Copy of the Communication from the Queen, relative to the intended Provision for her Majesty 236
- - - of the Circular Dispatch to his Majesty's Missions at Foreign Courts, relative to the Discussions at Troppau and Laybach 283
Finance Accounts, for the Year 1820 .... *App.* i

V. LISTS.

Page

Jan. 23. LIST of the Minority in the House of Commons, on Mr. Wetherell's Motion for Papers relating to the Omission of the Queen's Name in the Liturgy 36

26. - - - of the Minority in the House of Commons, on Lord Archibald Hamilton's Motion respecting the Omission of the Queen's Name in the Liturgy 219

Feb. 6. - - - of the Majority, and also of the Minority, in the House of Commons, on the Marquis of Tavistock's Motion on the Conduct of Ministers with regard to the Proceedings against the Queen 507

9. - - - of the Minority in the House of Commons, on the Resolution, in the Committee of Ways and Means, for the Renewal of the Sugar Duties 574

13. - - - of the Minority, in the House of Commons, on Mr. John Smith's Motion for restoring her Majesty's Name to the Liturgy.......... 665

14. - - - of the Minority, in the House of Commons, on the Malt Duties Bill.. 687

15. - - - of the Minority, in the House of Commons, on Lord Archibald Hamilton's Motion relative to the Order in Council, directed to the General Assembly of the Church of Scotland, respecting the Omission of the Queen's Name in the Liturgy.. 715

- - - of the Minority, in the House of Commons, on a Motion for Compensation to Clerks in the Court of Admiralty in Scotland.. 717

16. - - - of the Minority, in the House of Commons, on Mr. Hume's Motion for submitting the Ordnance Estimates in Detail 742

20. - - - of the Minority, in the House of Commons, on a Motion for printing the Nottingham Petition for the Impeachment of Ministers........ 810

- - - of the Minority, in the House of Commons, on Mr. Creevey's Motion respecting the Conduct of the Sheriff of Chester 822

21. - - - of the Minority, in the House of Commons, on Sir James Mackintosh's Motion respecting the Conduct of the Allied Powers towards Naples................................ 894

22. - - - of the Minority, in the House of Commons, on Lord John Russell's Motion respecting the Conduct of the High Sheriff of Dublin 917

28. - - - of the Majority, and also of the Minority, on Mr. Plunkett's Motion for a Committee on the Roman Catholic Claims.. 1030

Mar. 2. - - - of the Minority, in the House of Commons, on the Grampound Disfranchisement Bill 1076

5. - - - of the Minority, in the House of Commons, on the Repeal of the Husbandry Horses Duty 1081

6. - - - of the Minority, in the House of Commons, on Mr. Maberley's Resolutions respecting the State of the Revenue and the Repeal of the House and Window Duties 1127

Page

Mar. 7. List of the Minority, in the House of Commons, on a Motion for receiving the Petition of N. Broadhurst, complaining of Ill-treatment in Lancaster Castle 1131

9. - - - of the Minority, in the House of Commons, on Mr. Stuart Wortley's Complaint against "The Morning Chronicle," for a Breach of Privilege 1169

- - - of the Minority, in the House of Commons, on Mr. Creevey's Amendment to a Motion for going into a Committee of Supply 1176

12. - - - of the Minority, in the House of Commons, on the Army Estimates 1215

14. - - - of the Minority, in the House of Commons, on Mr. Macdonald's Motion for reducing the Army...................... 1245

15. - - - of the Minority, in the House of Commons, on Mr. Hume's Motion for reducing the Army...................... 1263

21. - - - of the Majority, in the House of Commons, on Mr. Western's Motion for the Repeal of the Malt Tax 1400

PARLIAMENTARY DEBATES.

THE
Parliamentary Debates

During the Second Session of the Seventh Parliament of the United Kingdom of Great Britain and Ireland, appointed to meet at Westminster, the Twenty-third Day of January 1821, in the First Year of the Reign of His Majesty King GEORGE the Fourth.

HOUSE OF LORDS.

Tuesday, January 23, 1821.

THE KING'S SPEECH ON OPENING THE SESSION.] This day his Majesty came in state to the House of Peers, and being seated on the throne, the gentleman usher of the Black Rod was directed to summon the Commons to attend. The Commons, headed by their Speaker, having presented themselves at the bar, his Majesty delivered the following most gracious Speech to both Houses:

"My Lords and Gentlemen:

"I have the satisfaction of acquainting you, that I continue to receive from foreign powers the strongest assurances of their friendly disposition towards this country.

"It will be a matter of deep regret to me, if the occurrences which have lately taken place in Italy should eventually lead to any interruption of tranquillity in that quarter; but it will, in such case, be my great object to secure to my people the continuance of peace.

"Gentlemen of the House of Commons;

"The measures by which, in the last session of Parliament, you made provision for the expenses of my civil government, and for the honour and dignity of the Crown, demand my warmest acknowledgments.

"I have directed that the Estimates for the current year shall be laid before you; and it is a satisfaction to me to have been enabled to make some reduction in our military establishments.

"You will observe from the Accounts of the Public revenue, that, notwithstanding the receipts in Ireland have proved materially deficient, in consequence of the unfortunate circumstances which have affected the commercial credit of that part of the united kingdom, and although our foreign trade, during the early part of this time, was in a state of depression, the total revenue has, nevertheless, exceeded that of the preceding year.

"A considerable part of this increase must be ascribed to the new taxes; but in some of those branches which are the surest indications of internal wealth, the augmentation has fully realized any expectation which could have been reasonably formed of it.

"The separate provision which was made for the queen, as princess of Wales, in the year 1814, terminated with the demise of his late majesty.

"I have, in the mean time, directed advances, as authorized by law; and it will, under present circumstances, be for you to consider what new arrangements should be made on this subject.

"My Lords and Gentlemen;

"I have great pleasure in being able to acquaint you, that a considerable improve-did successes had secured—if the combined powers could not be withheld or restrained from their wicked attack by any remonstrance of this government.—There were many other topics which pressed for consideration, but which would be more conveniently brought under review on any other occasion than on a motion for addressing the throne on the first day of the session. He was glad to find that there was to be a reduction of the army; but as the amount was not stated, he could not judge what degree of benefit was likely to be derived from it. He hoped it would be considerable; for it was only by reducing the burthens, and conciliating the good will of the people, that the difficulties of the country could be overcome. He was sure that by the sincere adoption of conciliatory measures, by placing confidence in the people, by a proper attention to their wants and their wishes, and by a departure from that system of suspicion and restraint with which they had of late been treated, much might be done by any persons who held the government of this country. He was perfectly convinced, if it could be made known that conciliation was to be the policy of government, and that considerable reductions in the expenditure would take place, that the existing dissatisfaction would be greatly diminished. He was also certain that, if it was wished to preserve a free constitution to the country, it was absolutely necessary that a change should take place, and that there should be a decided departure from the military system which ministers had adopted.—He found from the Speech that his majesty had been advised to express his acknowledgment of the provision made last session for the civil list. When this circumstance was only now noticed, their lordships surely could not fail to reflect on the singularity of its having been so long deferred. He, therefore, could not help alluding to the extraordinary prorogation of parliament which took place at the end of the last session. Their lordships could not forget how they were then dismissed, without any information on the state of the country, or any notice being taken of the large grant which they had made to the civil list, and which was dictated more from their personal regard for the sovereign than from a consideration of the situation of the country.—There was only one topic more in the Speech to which he should allude, and that was what was stated respecting an establishment for her majesty: on that subject he hoped the arrangements would be such as justice required, and as would put an end to the question in dispute. If such were the intentions of his majesty's ministers, he should feel great satisfaction. He only desired that the measures to be adopted should be consistent with justice, and calculated to compose the agitations of the country; with sincere joy should he see his majesty's ministers changing their system of policy, and resorting to measures by which the tranquillity and prosperity of the country would be likely to be secured.

The Earl of *Liverpool* observed, that as the noble earl had not opposed any thing in the address, but only objected to it for what it did not contain; as, subject to this objection, there was no statement in the Speech from the throne which the noble earl did not approve, it was not necessary for him to detain their lordships by entering into any detailed reply. As, however, he might be supposed to acquiesce in the statements of the noble earl if he allowed his speech to pass entirely unnoticed, he thought it necessary to say a few words on some of the topics to which the noble earl had called the attention of the House. In noticing the sentiments of loyalty alluded to in the Speech from the throne, the noble earl had been pleased to intimate that the universal opinion of the country was, that the present system of government ought to be changed. He had not, however, explained what he meant by the system of government, or what was the nature of the change supposed to be required. He was ready to allow that at public meetings a distinction was to be made between expressions of loyalty to the throne and approbation of the measures of government. That the former did not include the latter he fully admitted, and he hoped the time never would come in this country, in which the vices and errors of the government were not separated from the throne, and the distinction the noble earl contended for maintained. The noble earl would, however, find himself much mistaken in the opinion he had advanced. Instead of wishing for a change, it was certain that all the thinking part of the country approved of the system on which the government was conducted, and would consider any departure from it as leading to inevitable ruin. He was not prepared to say that there might not have been errors committed in carrying on the government; but that the system on which it had been conducted was erroneous or wrong, he never would be brought to admit.—In the course of his speech, the noble earl had next proceeded to make some observations on the internal state of the country; and here he had to complain of some of the remarks of the noble earl; he had to complain that he had both mistaken the purport of the Speech from the throne, and of the speech of his noble friend who moved the address. Neither in the one nor the other was any thing overstated, or any thing omitted that it was proper to introduce. No intention was manifested to blink the question; no attempt was made at subterfuge or concealment. It was truly stated in the Speech from the throne " that a considerable improvement had taken place within the last half year in several of the most important branches of our commerce and manufactures, and that in many of the manufacturing districts the distresses which lately prevailed had greatly abated." His noble friend who moved the address adverted to this statement, and expressed his satisfaction at the gratifying intelligence; but he did not mean to carry his congratulations further than they were warranted by facts. But, said the noble earl, the subject of our agriculture was kept out of view, and our agriculture is in a state of depression. True it was that our agriculture was not alluded to by name; but the depression under which it was labouring, if not expressly mentioned, was at least sufficiently hinted at in the paragraph of the Speech which spoke of " the distress which still presses on a large portion of the king's subjects." He would remind the noble earl of former discussions, and caution the House and the public against forming any rash opinions on the cause of the evil, or proposing any plausible remedies, that might increase instead of diminishing its pressure. The matter was one of the most serious nature: it had engaged the attention of parliament several years ago; and a legislative enactment was then passed to meet a state of things which did not now exist. The evil five years ago arose from a cause different from that which was now complained of, and required a different remedy. The prices had then fallen, from importation, so as to excite alarm for our domestic agriculture; and they had fallen still lower at the present moment. But to what was this fall in the latter case to be ascribed? To an increase in our home production. This, if examined, would, he was convinced, be found a full explanation of the fall of prices. There had been no importation for the last two years, so that no part of our agricultural distress could be ascribed to a competition of foreign grain in our market. There was no ground for supposing, as some did, that our warehousing system had any share in the effect which was complained of; and if not, then the inference was irresistible, that we now grew enough for our home consumption—that formerly we did not, and that the low price of grain was to be attributed to an abundance, or an excess of production. This was his settled opinion—an opinion which he would be ready to discuss and support on any proper opportunity. What he would particularly caution the House against was, that they should not enter on the inquiry with the idea of new legislative enactments. No good could be attained by such incessant legislative interference. Things would find their own level if allowed to remain free. Having said thus much on the subject of the internal state of the country, he would now proceed to follow the noble earl in the observations which he had made on the posture of our foreign relations. These observations were of such a nature that he could not allow them to pass without some comment, though the present was not the proper time for an extended discussion or a full explanation. He must first set their lordships and the public right on the real state of the question. The Speech from the throne, and that of his noble friend who had moved the address, might have been considered as sufficiently explicit. In the Speech it was stated that his majesty received " from foreign powers the strongest assurances of their friendly disposition towards this country, and that it would be matter of deep regret to his majesty if the occurrences which have lately taken place in Italy should eventually lead to any interruption of tranquillity in that quarter; but that in such a case it would be his great object to secure to the people of this country the continuance of peace." Thus, whether the tranquillity of other countries was disturbed or not, the system of this country was said, to be peace: our object was, to maintain peace, not only for our own sake, but for that of the other powers; and surely nothing could be more explicit than such a declaration. Independently of the general desire to maintain peace and to avert war, which would lead this country to exert itself for the tranquillity of Europe, he had no hesitation to say, that he had other reasons for maintaining the peace mentioned in the Speech from the throne. If it was necessary to engage in war, the system of war in which we should be most backward to engage, would be that which had for its object to interfere in the internal affairs of other states. While he said this much, he had never maintained that the principle of non-interference could admit of no exceptions; that there never could occur occasions in which we ought to interpose to prevent the adoption of certain internal arrangements; or that there might not be cases in which it was not only justifiable but necessary to do so for our own security. All that he would state was, that the standing policy of this country was peace, and an abstinence from intermeddling with the internal affairs of other nations. This was not of course the time for detailed explanation or specific statement. There might occur an opportunity of expressing his sentiments on the subject, though it could not be expected that he would enter on the discussion at present. But the noble earl had argued for a perfect neutrality in all cases. [" No, no," from earl Grey.] The principle, however, which the noble earl had sanctioned would be any thing but neutrality. To adopt his recommendation would be to take a side with the one party or the other. Though a party against interference, still it would be taking a party. See the consequences to which this would lead! Without knowing all the circumstances that connected the revolution of Naples with neighbouring states—without knowing how such an event might affect them—without waiting for explanation or defence, we were to take a side. He was not one of those who, in determining our policy towards revolutionized states, could leave out of his view the circumstances by which they were accompanied—he was not one of those who loved revolutions for themselves—he was not one of those who viewed with the same eye a revolution against an oppressive and a mild government. In viewing such constitutional changes, he examined the discriminating character of each particular case: he weighed the possibility of success: he calculated the chances of improvement, and he estimated the effect which the revolution would produce on other governments. What two countries in which political changes occurred were placed exactly in the same situation, and how could a common course be chalked out to both? In these circumstances our abstinence from all interference with either party appeared to him to be the best policy—as to interfere would be exercising a judgment without the means of forming a correct one. He would not enter further into the subject at present: our object had hitherto been to take no measure but on the principle of neutrality; and so far from interfering, to guard against all interference.—The next topic of the noble earl's observations was, the intended military reductions; and he was glad that, though undefined, they gave him satisfaction. There were circumstances last year which required an increase of our military establishment; but he was happy to say, that this year those circumstances were altered. A considerable saving would thus be effected; and he would mention it as a circumstance that must give general satisfaction, that the supplies of the year would now be provided for without creating any new stock. He felt pleasure in stating, that in the fifth year of peace we could go on without additional funding—a degree of good fortune which did not happen to other countries, which were frequently applied to as subjects of disadvantageous comparison.—The noble earl, in his animadversions on the conduct of ministers, had stated, that the prorogation of parliament without a Speech from the throne, and without thanks for the grant of the civil-list revenue, was without precedent, and was in itself unjustifiable. With regard to the first, if the noble earl would refer back to the year 1785, he would find the same course pursued as at the termination of the last session, and nearly in similar circumstances. Propositions that were then submitted to the Irish parliament were rejected, and the British parliament, which was to meet for the despatch of business only—in the event of their passing in Ireland, was prorogued without a speech. But, independent of this precedent, he had no difficulty in saying that, considering a call of the other House would have been enforced at a most inconvenient time if parliament had not been prorogued, and considering that if the call had not been enforced, there would not have been a sufficient attendance of members to receive the expression of his majesty's thanks, the most proper course was the one that was followed. On the last topic to which the noble earl had alluded, he would say nothing. A proposition for a provision for the Queen would soon come from the other House, and it would then be open for their lordships' consideration. This was all he felt it necessary to observe at present; for though the noble earl did not agree in the general policy pursued by his majesty's government, and though he could not give his unqualified approbation to the Speech from the throne, it was yet a satisfaction to find, that there was nothing either in the Speech or in the Address to which he felt himself called upon to make a specific objection.

Lord *Holland* said, it was not his intention to enter into a wide field of discussion upon the general state of the country. His object originally was, to put two or three very simple questions to the noble earl on the other side of the House; and he should have confined himself to those questions, if it was not for the topics that had been introduced. At the same time he should avoid entering into any review of the general system of the government. The noble lord (Liverpool) had professed not to understand what was meant by a system of government; perhaps he did not. It was natural enough that those who were in the habit of adopting measures one day, and abandoning them the next, should find out that they had no system whatever, and consequently be puzzled by expressions which seemed to imply that they had. His noble friend, however (earl Grey), had marked out distinctly, as he thought, the meaning which he attached to the words. What he meant by a total change of system was, a restoration of the confidence which used formerly to exist between the people and their rulers; a restoration of the old English homely good-humoured government, which had been so long abandoned, and so much impaired by the practices of the present administration. Such was the change to which his noble friend had alluded. It was not his intention, at present, to point out how a contrary system might be adopted, but there was one part of the speech from the throne, upon which, notwithstanding the explicit commentary of the mover of the address, he should feel that he was not acting as an honest man if he did not express his dissatisfaction; it was that part which referred to our foreign relations. In the speech from the throne, which was the speech of the minister, they were told that his majesty had received assurances from foreign powers of the existence of amicable relations. For his own part, he could not see what matter there was for congratulation,—what cause the people of England had to exult, because their monarch was not called before the congress of Laybach. Ministers had plunged this country into wars—they had burthened it with taxes—and now, while they were taking credit for having delivered Europe, the great powers of Europe, enriched by our losses, aggrandized by the possession of territories to which they had no right, were proceeding to further outrages, while we must be content with saying, we shall feel regret if you go to war, and this shall be the amount of our remonstrance. The noble lord had amused the House with a set of abstract opinions as to interference in the government of other nations, when it would be right, and when it would not be right; but what they wanted to hear was, whether he approved, aye or no, of the principles adopted by his pretended allies, who were bound by treaty to communicate and to consult with the government of this country. He did not think, ill as the noble lord had conducted the affairs of this country, and almost contemptable as his counsels had made it in the eyes of Europe, still he did not think, that if a proper remonstrance had been made, it would have proved unavailing. Such a remonstrance would not be an interference with the government of another country but an effort to prevent the interference of those who intruded it. To compare small things with great, for with all his feeling for Naples, he could not help feeling that her cause was still inferior to that of France; but still, to make the comparison, he remembered that the very same language which they heard that day had been used when the duke of Brunswick was on his march towards Paris. He would rather become a party to the infamous designs of those proud conspirators against liberty, than exhibit the meanness of mere regret when successful interposition was practicable. At all events, it would be better to say to Naples, we have been exhausted by wars until we are able to go to war no longer; these despots have got our money, and we can only give you our good wishes. The present condition of ministers reminded him of some verses, which he knew not whether he ought to quote in that august assembly—

"The doctor understood the call,
"But had not always wherewithall."

This brought him to the other part of his subject. It appeared from the correspondence of the Neapolitan government, that a treaty was concluded on the 12th of June, 1815, between the king of Naples and the allies. It further appeared, that Austria at present claimed the observance of a stipulation in that treaty, which, though not acknowledged by the government, was admitted by the duke of Campochiaro. It was a secret article, by which Naples was bound not to make any alterations in her government injurious to the interests of monarchy; and that the king was not to introduce any change which was contrary to the system (for these powers knew very well what their system meant, though the noble lord opposite and his colleagues, did not profess to understand it) which the emperor of Austria adopted towards his Italian states. Now if his majesty's ministers were aware of this article, he maintained that they had dealt most unfairly with the people of this country in not making it known. They were most unjust in agreeing to it, if it was known to them; for it was in direct hostility to the principle upon which they now went—that they would not attempt any interference in the internal arrangements of any country. But he could not think that his majesty's ministers were aware of this secret article, for he could not bring himself to believe that they were sunk so low as that, if they had known it, they would not have remonstrated against it at the time. They were bound to do so now, and it was their duty as the ally of Austria—as well as of Naples, to remonstrate with the government of Austria on the steps which she seemed about to pursue towards Naples. He would point out a mode in which such remonstrance could be made with effect. He would have ministers say to Austria "You are now flush in cash, you are raising large sums in certain places, and some Englishmen are engaged in advancing it to you, who will, no doubt, look anxiously after the payment of the interest of their advances. You are about to commence a crusade in a part of Italy; but before you begin to expend your vast sums, recollect that we have a little account against you—be just before you are generous, and pay your debts." He was reminded on this occasion of a short passage in the renowned tragedy of "Tom Thumb the Great," in which the flatterers of that celebrated personage advised him to follow up some extravagant project he had taken into his head; and their advice was exactly what the servility of many of the smaller powers of Germany would give to the emperor of Austria at the present day. His flatterers thus addressed Tom Thumb.—

"Great sir, the purpose of your soul pursue."

But while such advice was given, he would have the noble earl opposite say to his majesty the emperor—

"Great sir, I have an action against you."

This, he thought, would prove a most effectual remonstrance, and an excellent hint to the emperor. What could be more natural than that, before the Austrian government began to expend such large sums as must be wasted in a war with Naples, it should pay us part of her large debt to us—a debt which, he apprehended, was at the present moment not less than from sixteen to seventeen millions sterling. Leaving such a vast sum due and uncalled-for, he would say, was one cause of the government not having before now paid the dividends (in gold we understood his lordship to say, but at this part of the sentence his voice was suddenly lowered, and the remainder of it was not heard distinctly below the bar.) We understood him, in continuation, to observe on the former system of the currency and the losses thereby occasioned to individuals who were obliged to receive in payment a currency of a considerably deteriorated value. When this, he added, was the situation of the country, was it too much to say to Austria, that being now about to engage in this crusade against Naples, a crusade which would put it out of her power to fulfil her former engagements with us "pay us our debts, before you show yourself able to do these things." This, he maintained, was in the power of ministers, according to existing treaties, which it was their duty to enforce. His belief was, that ministers did not wish for a war on the part of Austria against Naples. But it was not enough that they should confine themselves to the mere circumstance of not wishing it. They should remonstrate, and say to Austria, on the part of their sovereign, "I disapprove of this war, as I disapprove of any war with any nation founded on the principles of such interference in its internal concerns. I disapprove of a war against a nation with which I am connected by treaties, and in which you cannot engage without destroying the principles on which we have acted." Such ought to be the language which the ministers of the Crown should hold to Austria, and he was satisfied it would not be without the proper effect. He did not know what papers the noble lord opposite might be likely to produce on this subject; but if it should appear from them that this country had ceased to be on terms of amity and perfectly good understanding with Naples, in consequence of the late change in her government, he would maintain that the government of this country had not done its duty. A word from us against her present proceedings would, he was satisfied, be sufficient for Austria; and if our sentiments were firmly and decisively expressed on this occasion, she durst not refuse her concurrence. It was therefore nothing but idle mockery to say to the people of England that the government wished for peace, if the necessary steps were not taken to ensure it. He was sure that the noble duke opposite (the duke of Wellington) must have felt (though none of his colleagues had dared so to express themselves) mortified and disappointed at finding that the Spanish constitution (and here he begged not to be understood as meaning to say that the Spanish constitution was without defects—he knew it had defects; but if he were a subject of Spain, where it originated, or of Naples, where it was adopted, he would shed the last drop of his blood in defence of it, with all its defects, rather than suffer it to be wrested from him by any of the armed despots of Troppau)—but he was about to observe, that the noble duke must have felt mortified and indignant at finding this Spanish constitution, which had been established under his auspices, so violently opposed; and however much he might differ from the noble duke on many great political questions, yet he felt it but justice to him to say, that this country was not more indebted to its valour and skill—as a general, than to the wisdom he evinced on several occasions in his negotiations with Spain, and in conciliating the good-will of that nation towards us; but he acted on those occasions with the very government, and under that very constitution, to which, as he had observed before, the noble duke must since have felt mortified and indignant at finding the despots of Troppau so violently opposed. It was said, that these revolutions were effected by the army. He was not a friend to the principle, as a general one, that they were the fittest instruments for new modelling a government. He was too much attached to the principles of the Revolution of 1688 to adopt such a doctrine; but he confessed he was glad of the mode of change in the recent instances, as it gave another proof, that those who leant entirely on spears for their support, would sometimes feel the wound in their own sides. It was not now a matter of consideration, how the revolution in Naples had been effected. One thing was certain—it was a bloodless one; but if it were as bloody as it was peaceable—if it were as little calculated for the peculiar advantage of that nation, as he was satisfied it was conducive to their better government, still he would denounce the principle of foreign interference with the internal affairs of any nation, and still less could he support such interference when made by an armed force.—But it might be said, that we had no right to offer our advice to Austria. He maintained we had. Austria was our ally; and was he to be told that if he saw his friend about to plunge into the commission of some atrocious crime, or to commit some cruel act, that he was to withhold all advice until the deed was done? The advice would be then too late, and he should not act the part of a true friend if he did not give the advice while its adoption might be of use. He would then say to ministers, "Give your advice to Austria to desist;" and if your advice be reasonble she dare not refuse you. But he had heard it said, that though Austria could not expect any direct assistance from this country, she still would calculate upon the *moral* assistance of England. Now this he could not too strongly condemn; and it was a great reason with him for maintaining the necessity of having the most explicit avowal of the disapprobation of this government. If it was once known that the British government were warmly opposed to any hostile proceedings towards Naples, it would soon have the effect of depriving Austria of that *moral* assistance which she might look to in other quarters in the absence of a positive disavowal. Let England say to her ally Austria, "I say that your interference is improper, and in no one way will I give it any support or sanction."—It was for these reasons that he disapproved of the language of the Speech and of the Address as equivocal. It gave their lordships no information on subjects the most important, and which, for aught that was said of them, it might as well not have touched. As the speech and of course the address gave no information on the important subject to which he had alluded, he would put a few questions to the noble earl, and he hoped, for the information of their lordships, he would answer them. He would wish to be informed whether our ambassador or agent at Naples was still the accredited agent to the Neapolitan government; and if so, whether he had received instructions to assure that government, that this country would not disturb the state of affairs there, or give any support or sanction whatsoever to any such disturbance by any other power, on the principle of interfering in her internal arrangements. His next question was, whether the secret article of the treaty of 1815, to which he had before alluded, was communicated to his majesty's ministers; and if so, was it followed up by any remonstrance on our part; and, if it was not then communicated, whether ministers when they became acquainted with it, remonstrated (as he thought they were bound to do) against any treaty in which this country was concerned containing principles which we disavowed His next question was, whether within the last year the noble lord had applied for the repayment of the Austrian loan, or any part of it, or of the interest which we ought to receive from Austria—this interest of which Mr. Pitt once talked so confidently.

The Earl of *Liverpool* observed, in reply to the noble baron, that the questions he had put involved subjects of such magnitude that he could not attempt to answer them without going into a detail, which he was not prepared to do at that moment. If, however, the noble lord should think proper to call for specific information on any of the points to which he had referred, and should give notice of a motion to that effect, he would be ready on any such occasion to go into the subject, and to answer the inquiries of the noble lord. At present he hoped their lordships would see that he could not well go into such a detail.

Lord *Holland* said, that the questions which he had put to the noble earl could not excite discussion at present, or require that detail which the noble earl seemed to imagine. He would, however, put them in a shape where they might be answered by a single "Ay" or "No." And, first, he would ask, were our diplomatic relations with Naples changed by the recent political changes in that country? His next question should be, whether the secret articles of the treaty of 1815 were communicated to ministers, and when? And the third was, whether any, and what application, had been made to Austria last year respecting the re-payment of the loan?

The Earl of *Liverpool* again observed, that the present was not the moment to go into such details, but that he would be ready to meet the noble lord on the subject on any future occasion, when he should think proper to submit a motion respecting it.

Lord *Holland*, after this refusal, wished the noble lord joy of belonging to an administration whose affairs were so complicated, as that the head of it could not give an answer, ay or no, to a few plain questions.

Lord *Ellenborough* said, that undoubtedly that man was to be regarded as the greatest benefactor of his country, who could take the most certain means of preventing the calamities which might befal it. If, then, we looked back upon the state of the affairs of Europe for the last twenty-five years, who was to be considered as the man capable of conferring the greatest benefit upon his country? Not the noble general opposite, who had succeeded in putting an end to the war, but the individual who, at its commencement, possessed the means of altogether preventing the war. He congratulated the House and the country, that the noble baron possessed the means of preventing a war, which by many persons was considered likely to take place, not by bringing into action the military power of the country, but by a few words in the speech from the throne, and, what was still more extraordinary, by an application for the payment of a debt! Surely the noble baron must be aware, that the only effectual way of enforcing the payment of a debt must be, an application from a general at the head of an army. It certainly appeared to him, that every thing had been done by this government, which, under the circumstances, was proper to be done. The answer which they had given to the Austrian government, was this, "We sincerely hope you will not go to war; and if you do, we will give you no assistance." The noble baron had dwelt much upon the situation to which we were reduced by the wars in which we had been previously engaged; and there could be no doubt, that, in the present distressed state of the country, war was a thing of all others most to be deprecated, But was this the moment which the noble baron would chuse to press for the payment of a debt? Surely that was a measure but little calculated to prevent a war, which, if it took place, was extremely likely to become general throughout Europe. He was glad to hear from the noble earl, that he was ready to give full information to the House on the subject of the negociations as to the affairs of the south of Europe, when they should be brought regularly before the House. He was the more gratified to hear this, as he had apprehended, from what had first fallen from the noble earl, that there would be some difficulty on this subject. In the present state of ignorance in which they were as to the causes of the late revolution, it was perfectly impossible to form any judgment of the conduct which ministers had pursued. He wished the noble baron, however, to state in what terms, and what precise form of words, he would frame that remonstrance, which was to prevent the possibility of war.

Lord *Holland* said, that he could have no objection to answer the question of the noble lord. The language which this country ought to have used to Austria, shou'd have been plain and unequivocal. We should have declared explicitly, that we would take no part in such a war; and we should have expressed, openly, in the face of Europe, not only our disapprobation of the war, but of the principle of the war. The noble baron had said, that the most effectual way of addressing an emperor was, by a general at the head of an army; but he forgot that this was no longer the case, when that emperor was looking for assistance and support from the party addressing him. Notwithstanding the surprise expressed by the noble baron, he saw nothing so preposterous in supposing, that if, instead of the paragraph which the speech now contained, there had been one, lamenting that any of the allies should think of interfering with the rights of independent nations, the conduct of Austria would have been influenced by such a declaration. For his own part, he believed it would have prevented Austria from marching; at all events, they who thought that it would not have kept her for a long time hesitating and vacillating, knew very little of Austrian councils.

Lord *Ellenborough* congratulated the noble baron and the country, since, notwithstanding the lamentable effects which he had ascribed to the policy pursued in this country for the last twenty-five years, he still thought its moral character stood so high, that a solemn declaration of its opinion must be imperative upon the greatest military power in Europe.

Lord *Holland* said, that the noble baron had totally misapprehended what had fallen from him. He had never dreamt of ascribing any such miraculous effect to the moral character of the country.

The *Lord Chancellor* said, it might not be amiss to observe, that if one noble lord were Austria and the other England, it would be extremely difficult to determine, whether they might or might not be prevented from going to war [a laugh].

The Address was agreed to *nem. diss.*

HOUSE OF COMMONS.

Tuesday, January 23.

THE QUEEN—LITURGY.] Lord *A. Hamilton* gave notice, that he intended upon Friday next to bring forward a motion relative to the omission of the Queen's name in the Liturgy.

Mr. *Wetherell* rose for the purpose of making a few observation relative to certain documents, of which he thought the House ought to be in possession, before the motion of the noble lord was taken into consideration. He should, therefore, give notice of a motion for the production of such documents on some day before Friday. He was proceeding to state his reasons for so doing, when he was called to order by

The *Speaker*, who was satisfied that the learned member would excuse him for interruption, but nothing was so irregular as to offer remarks upon that which was only a notice of motion.

Mr. *Tierney* said, that it appeared to him that the learned gentleman intended, in consequence of the notice just given for Friday, to give notice of a motion for the production of certain papers previously to that day. He wished, in short, to put the House in possession of such information as would enable it to form a proper judgment on the question which would then be submitted to it.

Lord *Castlereagh* admitted that such might be the meaning of the learned gentleman; but if it was, it would perhaps be as well to allow him to explain his own meaning. His lordship was proceeding to other remarks upon Mr. Wetherell's declaration, when

Lord *Folkestone* said, it was competent to the learned gentleman, if he thought proper, to move at that instant for the documents he wanted.

Mr. *Bankes* said, it was not usual for gentlemen to give notices of motions before the King's Speech had been taken into consideration. He did not mean to say, that it was not competent to members to do so, but he thought that, unless under very peculiar circumstances, the respect which was due to his majesty ought to induce the House not to engage in any previous discussions.

The *Speaker* observed, that if the learned member would explain his object, he would apologise if he had misunderstood him. He understood the learned member intended to offer some observations upon the notice of the noble lord. That, it appeared to him, would be contrary to the usual forms of the House. It was impossible that any observations could be made leading to a discussion, without going on to a termination of the question. If he mistook the learned member, he begged his pardon; but if he did not, he put it to him and to the House, whether he was not irregular in addressing the House on the notice of the noble lord?

Mr. *Wetherell* said, he had been misunderstood. He intended to move for the production of certain papers, which he conceived absolutely necessary to a proper understanding of the noble lord's motion.

Lord *Castlereagh* thought the learned member could not make any motion of the kind without notice.

Mr. *Wetherell* said, that provided he could attain his object, the mode by which he did so was quite immaterial to him. He was ready to bow to the will of the House. The papers for which he was about to move were, in his opinion, absolutely necessary, in order to come to a proper understanding of the noble lord's motion. However, in deference to the opinion of the House, he was ready to reverse the proceeding, and to give notice for a future day [cries of "no, no, move now,"]. He would then move at once for "Copies. 1. Of all Collects or Litanies in the Public Liturgy of the Church in each reign, from the reign of James 1 (inclusive) to the present time, in which the name of a Queen Consort has been inserted from time to time: 2. Of the Collects or Litanies contained in the Liturgy annexed to the Statute of 13th and 14th, Ch. 2. c. 4, which relates to the King, Queen, or Royal Family, together with the titles of such Collects or Litanies, noticing therein any blanks in the titles or bodies of such Collects or Litanies: 3. Of the Order in Council of the 12th February 1820, by which Her Majesty's name has been omitted from the Liturgy: 4. Of orders made by the Kings and Queens of England in Council, relative to the insertion, omission, change, or alteration of the names or titles of the King, Queen, or any member of the Royal Family, in the Liturgy of the Church of England, from the commencement of the reign of Henry 8, to the present time." The object which he had in view was to place the House in possession of the facts, before the motion of the noble lord came under consideration. The private research of many gentlemen had doubtless supplied them with all the information necessary to decide upon it; but, consistently with parliamentary usage, no fact, when a motion was made, could be assumed as certain that was not properly authenticated. It could be no secret that many were of opinion that the Queen of England had a right to have her name inserted in the Liturgy of the church by the law of the land and the constitution of the country. To decide the question whether she had or not, he now moved for copies of certain documents, all of which were among the public records of the kingdom. No gentleman could come to a fair and just judgment on the propriety or impropriety, the legality or illegality of the erasion of her majesty's name from the Liturgy, until he had investigated the law and usage of the country upon that head. As the House would not be able to perform its duty to the people, the King, or the Queen, until the papers were laid upon the table, he should now move for the immediate production of the documents, the titles of which he had just read to the House.

Lord *Castlereagh* thought it would be more convenient to give notice of the motion. The learned member was transgressing the rules and forms of the House. He was moving without notice for documents which nobody understood. If the learned member thought there was any reluctance on his part to produce those documents, he was much mistaken: so far from it, that his only objection was as to the time and manner of making the motion. He put it to the House whether the country was likely to improve from the late reformations which had taken place in the form of making motions in parliament [a laugh]. He was sorry that the influence of a right hon. gentleman on the other side was not exerted, to prevent motions which only tended to excite clamour. For his part, he was not aware in what particular office the information called for by the learned member could be found. He had no means of judging precisely at that moment whether he ought or ought not to concur in the motion. Under those circumstances, he hoped the motion would be for the present withdrawn. If it was good for any thing it would go to postpone the motion which stood for Friday—it would operate as an absolute bar to it. If the motion was not withdrawn he should feel himself under the necessity of moving the previous question.

Mr. *Tierney* said, that as far as he understood the noble lord, he had no objection to the hon. and learned member's motion, but only to the time of making it. It was most extraordinary, that any objection as to time should be made, when the documents moved for were those upon which the exclusion of her majesty's name from the Liturgy had been founded; but the noble lord had no idea where those documents could be found! If that was the case, he should wish to know where the noble lord had laid his fingers upon them, when the order in council was made for excluding her majesty's name from the Liturgy? Now he would only beg the House to consider the way in which the question stood. The learned member who made the motion, was not an ally of his (Mr. Tierney's); he was the uniform supporter of ministers. A noble friend of his had given notice of a motion for Friday. The learned member said, that there were certain documents which he wished to have laid before the House, in order to guide his decision upon that motion. He thought he could not form an opinion in the absence of those documents. The noble lord opposite said he had no objection to the production of the documents, but he would not allow them to be produced now. This was as much as to say, "you must first decide upon the question, and afterwards you may have the documents." The noble lord might if he pleased have taken another ground, and objected to any discussion until the King's Speech had been received, and taken into consideration. Instead of doing so, he said, that the question ought not to be agitated at present, as he did not know where to look for the papers. This was a most curious mode of reasoning; it was a most singular objection to the motion. He would not have added another word, were it not for an observation which had been made by the noble lord. The noble lord expressed a wish that he would exercise his influence in preventing certain motions from being made. What did the noble lord mean by this? The noble lord had indeed influence on his side of the House, but did the noble lord think, that he (Mr. T.) could have the impudence, even if he had the inclination, to say to any honourable member that such a motion should or should not be made? The noble lord indeed knew what his influence was on his own side of the House; he could turn round to any of his party and say, "Sir, you hold such a place, and you shall lose it if you do not do so and so." But did the noble lord imagine that he (Mr. T.) could do this? It was the tact and trick of the noble lord to represent the opposition as an army invariably acting under the orders of a general. He disavowed the power and command which the noble lord ascribed to him; if such a power were offered to him he would decline the responsibility attached to it. Ministers, indeed, had it in their power to command—but more of this by and by. All he could say was, that he felt flattered by the attention of any honourable member who consulted him as to whether any particular motion ought or ought not to be made. But he should feel ashamed of himself if he went one step further than simply giving his opinion upon the question. The person so consulting was of course master of his own actions. Another honourable gentleman, who had taken a share in the discussion, had rather surprised him, for he appeared discomposed by, and complained of, the irritation which prevailed whilst he was speaking. Now, he would ask whether there was any thing more likely to promote irritation than the conduct of the noble lord upon this question? It appeared to him that the noble lord had come down to the House smarting with soreness at certain recent events, and had therefore determined to say something to irritate, not caring whether it was upon the King's Speech, or upon any thing else.

Mr. *Wetherell* wished to explain the reason why he could not consent to withdraw his motion. He presumed that the noble lord had read over, in February last, the documents which he was now desirous of obtaining. It was in that month that her majesty's name was erased from the Liturgy; and he could not suppose that the privy council would come to a determination on so important a measure without looking into the law and usage of the constitution regarding it. When the noble lord said, that he did not know where to find the documents, did he mean to say, that he had not looked into the litanies of the church to know what were the rights of a Queen Consort before he struck her name out of them? He could not suppose, that when the noble lord hazarded the desperate venture of striking the Queen's name out of the Liturgy in which it had been constantly retained for the long space of two centuries, he was ignorant where to find the records by which the legality or illegality of it was to be defended. Had the noble lord never been at the British Museum? Or was he ignorant that the undoubted, the uniform, and the unbroken usage, from the time of Henry VIII. downwards, was in favour of the Queen's right to have her name continued in the Liturgy? He could not strictly and seriously mean to give a negative to either of these two questions: and one of the principal reasons which induced him to make his present motion without any previous notice was, that he presumed that ministers had carefully investigated each of the required documents. Now, however, they were to be told that they had come too suddenly with the question upon ministers, and that they had been guilty of a paltry parliamentary trick. But the fact was not so: ministers were not taken by surprise. Did the noble lord presume, did the noble lord dare to assert in the face of the Commons of England, that his colleagues erased her majesty's name from the Liturgy, without considering how far they were justified by the laws of the country in doing so? If he meant to say, that they had done it unadvisedly—and unadvisedly he, for one, believed that they had done it—what a censure did he pass upon his coadjutors in office, in saying that they had struck their pens through the name of their Queen without thinking of the justice, of the expediency, or the legality of the act!

Mr. *Bathurst* complained, that his noble friend had been entirely misunderstood, and therefore misrepresented by the learned gentleman. Was that learned gentleman so ignorant of parliamentary forms, as not to know the difference between consulting public printed documents, and consulting public documents properly authenticated? The latter were dispersed in different public offices; and therefore, without previous inquiry, it was impossible to say where a man could lay his hands upon them. The right hon. member was proceeding when

Mr. *Hume* rose to order. The right hon. gentleman had, since the last meeting of parliament, accepted a place of emolument under the Crown, by which his seat was vacated. He wished to know whether he had been re-elected? If the acceptance of a place worth 5,000*l.* a-year, under the Crown, did not vacate a seat, he and those around him were totally ignorant of the fact. If the office in question was an office exempted from the operation of the statute, he was also ignorant of that fact. He suggested the consideration of the objection to the right hon. member himself, for his own private benefit and convenience.

Mr. *Bathurst* was obliged to the hon. member for reminding him that he was perhaps subjecting himself to a fine of 500*l.* But before he had given him that hint, he ought to have examined into the validity of his objection. Did the hon. gentleman know how the office which he had now the honour of filling was appointed? The act of parliament under which it existed said not a word about any salary of 5000*l.* a-year; but it said this, that those commissioners who had seats in parliament should not vacate them provided they received no salary. He was in that situation; at present he received no salary.

Mr. *Tierney* was aware that under the act of parliament for managing the affairs of India, there were some commissioners who had no salaries; but there were three who received salaries. Now, he wished to know of the right hon. gentleman whether he was one of the supernumeraries, as they were called, or was the president of the Board of Control! He did not know whether what he had read in the Gazette was correct or not; but there he was described as the president. If he was the president, it was for the House to determine, whether that place was a place of profit and emolument.

Mr. *Bathurst* replied, that the salary belonging to that office was in the appointment of the Crown. Now, the Crown had not, as yet, appointed him any salary, as he was already in possession of another office under it.

Mr. *Tierney* had to congratulate the House at last on a piece of economy on the part of ministers. One of them held the chancellorship of the duchy of Lancaster and the presidency of the Board of Control—and yet only received the emoluments of one office!

Lord *Milton* had always understood, that the late sir James Pulteney, whilst secretary at war, had received no salary; but he had never understood, that on accepting that office, he had been excused from vacating his seat in consequence of it. The acceptance of the office vacated the seat quite as much as the acceptance of the salary.

Mr. *Creevey* remarked, that it mattered not whether a member accepting office declined receiving any salary, or thought proper to give it away. The question was, was it an office of profit under government? If so, the member of course vacated his seat. He was of opinion, that the right hon. member had vacated his seat, by accepting the office of president of the Board of Control.

Mr. *Bathurst* referred to the act in question, which, he contended, did not include members holding offices without salary. He then proceeded to argue upon the question before the House. His noble friend had no objection to the principle of the motion, but he conceived some delay necessary, in order to procure the documents called for. They were not to be picked up in the streets, nor in the shop of a bookseller, but must be had from the most authentic sources.

Sir *James Mackintosh* remarked, that if ministers had not seen the documents now moved for—if they had not entered into that investigation of them into which they ought to have entered, then in reality they could not know whether the examination of them might not be decisive of the illegality of the measure in question. If they had examined them, as they said they had, what need was there of a moment's previous notice? If they were not now possessed of them, it was clear that they were still ignorant upon what grounds the measure rested which they had adopted so inconsiderately eleven months ago.

The *Solicitor-General* said, that his learned friend laboured under a very erroneous impression. He had stated that, because these documents were not in the possession of ministers, ministers had no justifiable grounds for erasing her majesty's name from the Liturgy; but he had been completely misinformed: for he ought to have known that there could be no alteration in the Liturgy without an order of council. He could assure the House that ministers had consulted the documents then moved for,

Mr. *Scarlett* said, that the information given to the House by the solicitor-general, differed so much from that given to it by the noble lord opposite, that the House would find some difficulty in reconciling it. The noble lord said that the Queen's name had been erased from the liturgy after a full examination of all the necessary documents; whilst the solicitor-general, at the same moment that he confessed that they had consulted these documents, disdained to rest upon them, and left the matter to be defended by the order in council. The motion was not pressed by the learned mover, from any intention of anticipating the debate, or from any wish to prolong the discussion. The noble lord had therefore taken a wrong course in meeting it by the previous question. If the principle were acceded to, there might be no objection to some delay in the production of the necessary papers. His noble friend, too, might then be induced to postpone the motion of which he had given notice, to a more distant day, or he might, after considering the reasons urged in favour of such delay, find them unsatisfactory. He himself entertained not the smallest doubt, that if the motion were now acceded to, there would be no difficulty in obtaining all the documents in the course of a single morning.

Mr. Serjeant *Onslow* was desirous of stating the considerations which would induce him to vote for the motion of his learned friend. Undoubtedly it was the usual practice of the House to postpone, on the first day of the session, the discussion of every question until after the Speech from the throne had been taken into consideration. This rule, however, was not uniformly observed, nor could it be regarded as imperative. He had known more than one instance in which it had been departed from. He had never known a subject upon which public attention was so steadfastly fixed, and as to which a speedy decision was more desirable. They could not, in the present circumstances, pursue a too guarded course, or defend themselves too effectually against the suspicion of being indifferent to this question. The motion for the previous question was a manner of treating it which he was afraid might be construed into evidence of a disposition to refuse the necessary information; but he must protest most solemnly, that, in giving his support to the motion of his learned friend, he meant to pledge himself no further. Whenever the question to which it was introductory should be agitated, he should regard it as a legal and not a political question. He should view it with the eye of a lawyer, and determine his vote by the best lights which he could derive from constitutional principles and historical research. It did not appear to him to furnish topics for the display of party spirit, but to require a decision conformably to the rules and analogies of law.

The *Chancellor of the Exchequer* fully concurred in the observation of the learned serjeant—an observation on which every member, he trusted, would feel it his duty to act, namely, that the question to which the present motion referred, should be discussed as one of constitutional law, without reference to party or partiality. But, though he agreed most fully with him in that feeling, he still must consider the present a most improper time for such a motion. An allusion had been made by the learned serjeant to cases in which discussions on questions, independent of privilege, preceded the consideration of a speech from the throne. It was true that such cases did occur; but every member would recollect with what disapprobation these very extraordinary motions had been received by the House.

The previous question being put, "That the question be now put," the House divided: Ayes, 169; Noes, 260: Majority against Mr. Wetherell's motion, 91. Mr. Wetherell then gave notice of his intention to renew his motion to-morrow.

List of the Minority.

Abercromby, hon. J.
Allen, J. H.
Astell, Wm.
Belgrave, visc.
Beaumont, T. W.
Barham, Jos. F.
Baring, Henry
Baring, Alex.
Barrett, J. M.
Bennet, hon. H. G.
Bernal, Ralph
Birch, Joseph
Brougham, Henry
Browne, Dom.
Bright, Henry
Burdett, sir F.
Bury, visc.
Buxton, T. F.
Butterworth, Jos.
Baillie, John
Bennett, John
Blake, sir F.
Boughton, W. E. B.
Boughey, sir J. F.
Bentinck, lord W.
Balfour, J.
Calcraft, J. H.
Calcraft, John
Calvert, Charles
Calvert, Nic.
Campbell, hon. J.
Carew, R. S.
Carter, John
Cavendish, Henry
Clifford, capt.
Clifton, visc.
Cripps, Joseph
Coke, T. W. jun.
Coffin, sir I.
Colburne, N. R.
Concannon, Lucius
Coussmaker, G.
Curwen, J. C.
Creevey, Thos.
Chaloner, Rob.
Dundas, C.
Davies, T. H.
Dickinson, W.
Duncannon, visc.
Dundas, hon. T.
Denman, Thos.
Denison, Wm.
Ebrington, visc.
Ellice, Edw.
Ellis, hon. G. A.
Farquharson, A.
Ferguson, sir R. C.
Fitzgerald, rt. hon. M.
Fitzroy, lord J.
Fitzroy, lord C.
Folkestone, visc.
Farrand, Rob.
Gaskell, Ben.
Gurney, Hudson
Gordon, Robt.
Graham, J. R. G.
Graham, Sandford
Grenfell, Pascoe
Griffiths, J. W.
Haldimand, W.
Hamilton, lord A.
Hamilton, sir H. D.
Harbord, hon. E.
Heathcote, sir G.
Heathcote, J. G.
Heron, sir Rob.
Hill, lord A.
Hobhouse, J. C.
Hornby, Edmund
Honywood, W. P.
Hume, Joseph
Hurst, Robt.
Jervoise, G. P.
King, sir J. D.
Kennedy, J. F.
Lambton, John G.
Langstone, J. H.
Lennard, T. B.
Lemon, sir W.
Lloyd, S. M.
Lushington, Steph.
Mackintosh, sir J.
Macdonald, J.
Martin, John
Milton, visct.
Monk, J. B.
Moore, Peter
Moore, Abraham
Marjoribanks, S.
Marryat, J.
Maberley, John
Maberley, W. L.
Mahon, hon. S.
Newman, R. W.
Newport, rt. hon. sir J.
Nugent, lord
Onslow, Arthur
O'Grady, Standish
O'Callaghan, J.
Ord, Wm.
Ossulston, lord
Palmer, colonel
Palmer, C. F.
Parnell, sir Henry
Pierce, Henry
Phillips, G. R.
Phillips, George
Plumer, Wm.
Ponsonby, hon. F. C.
Power, Richd.
Price, Robert
Pryse, Pryse
Prittie, hon. F. A.
Pym, Francis
Rice, T. S.
Ramsay, sir A.
Rickford, Wm.
Ricardo, David
Ridley, sir M. W.
Robarts, Ab.
Robinson, sir Geo.
Rowley, sir W.
Rumbold, Charles
Russell, lord John
Russell, lord Wm.
Russell, R. G.

Ramsden, J. C.
Smith, hon. Robt.
Smith, Sam.
Smith, Geo.
Smith, Wm.
Sebright, sir John
Scourfield, W. H.
Scott, James
Scarlett, James
Scudamore, R. P.
Sefton, earl of
Stanley, lord
Stuart, lord J.
Sykes, Daniel
Shelly, sir John
Talbot, R. W.
Tynte, C. K.
Townshend, lord C.
Tavistock, marq. of
Taylor, M. A.
Tierney, rt. hon. G.
Tennyson, C.
Warre, J. A.
White, Luke
Western, C. C.
Wharton, John
Whitbread, W. H.
Whitbread, Sam. C.
Wilkins, Walter
Williams, Wm.
Wilson, sir Robt.
Wood, Matthew
Wyvill, M.

TELLERS.

Grant, J. P.
Wetherell, Charles

ADDRESS ON THE KING'S SPEECH AT THE OPENING OF THE SESSION.] The Speaker acquainted the House that that House had been in the House of Peers, where his Majesty had delivered a most gracious Speech to both Houses of Parliament, and of which, to prevent mistakes, he had obtained a copy. [See p. 1.] After the Speaker had read the Speech,

Mr. *George Bankes* rose, and spoke to the following effect:—Mr. Speaker; In proposing an Address to his Majesty, of acknowledgment for the gracious Speech which we heard some hours ago, and which you have at last had an opportunity of reading to us, I shall not trouble you with any expressions of conscious insufficiency, because I am aware they are a very poor excuse for the presumption of a voluntary undertaking, and because I do not apprehend any thing very difficult in returning a suitable acknowledgment for gracious intimations and assurances, every way calculated to inspire a dutiful and affectionate feeling. As one of his majesty's many, many loyal subjects, I propose, Sir, that we approach his Throne, to assure him of the fidelity of a nation which is sound at heart—a nation not so intoxicated by the splendor of unparalleled triumphs, nor so lulled to apathy by the security of a profound peace, as to visit with ingratitude the promoter of those triumphs and the procurer of this honourable repose. In a nation in which all are free, folly must have her freedom, and mischief will mark her for its tool; folly will discharge her debts of gratitude by denying their amount—by forgetting the danger from which she has been delivered, though ever when in peril herself the loudest to complain and the foremost to despair. The spirit of mischief can have no account of gratitude to settle with the peace maker; it is a spirit obnoxious to repose; in war and tumult it can be content to hope all evil to the good order which it hates; but in peace, it must counsel and contrive it; it is then that it is seen walking restless through the dry places of the land, instigating the owner of each poor and barren plot, not to cultivate and improve, but to curse the little portion he is heir to. It was this same spirit that could heretofore with mischievous exaggeration deck out the avowed implacable enemy of its country with irresistible might, with infallible sagacity, and inexhaustible resource, and with prophetic fervor could foretel the stability of all that he should set up, and the ruin of all he should denounce; the same spirit that could boldly excuse and justify all his crimes, or more boldly could deny them. When baffled in its every hope, belied by every prophecy, this bankrupt firm of impudent invention has still new fictions ready for new credulity, new idols for folly's worship, and honourable attributes for every new disturber of the public quiet. If it be true that each several nation has a peculiar national character belonging to its inhabitants, the king who finds himself at the head of a frank, a gallant, and a generous people can wish to exchange the subjects of his government for no others on the face of the earth; in their valour he is renowned abroad—in their honourable allegiance he is secure at home; but there are circumstances that will invariably work a change in every national character, and perhaps the strongest changes are the most generous and the best. Such is the circumstance of great national success in war—this will infuse a chivalrous ardour—a zeal for enterprise—a restless desire of still finding something to oppose, and something to defend—a chivalry that will delight in the mimic circumstance of war, the polished armour and the nodding plume—a chivalry that will combat imaginary oppressors, that will liberate convicted culprits, and commission them to carry their chains and their innocence to the inspiring genius of its romantic history. Such drawback to national successes in the wild enthusiasm they inspire, it may be well for a prince, on his own personal account, to estimate before he voluntarily engages in a war; in defensive warfare, however, he can have no option, and where upon first assuming the reins friendly disposition towards this country; and gratefully to acknowledge his majesty's gracious intimation of the deep regret which he should feel if the occurrences which have taken place in Italy should eventually lead to any interruption of tranquillity in that quarter, as well as in the declaration that it would in that case be his majesty's great object to secure to his people the continuance of peace:—To thank his majesty for having directed the estimates for the current year to be laid before us, and to express our satisfaction that his majesty has been enabled to make some reduction in our military establishments:—To assure his majesty that we shall have great pleasure in finding, from the accounts of the public revenue, that notwithstanding the receipt in Ireland has proved materially deficient, in consequence of the unfortunate circumstances which have affected the commercial credit of that part of the United Kingdom, and although our foreign trade during the early part of this time was in a state of depression, the total revenue has nevertheless exceeded that of the preceding year; and that, though a considerable part of this increase must be ascribed to the new taxes, the augmentation in some of those branches which are the surest indications of internal wealth will be found to have fully realized any expectation which could reasonably have been formed of it:—To assure his majesty, that we shall not fail to apply ourselves to consider what new provisions it will, under present circumstances, be necessary to make for the Queen, the separate provision which was made for her majesty as princess of Wales, in the year 1814, having terminated with the demise of his late majesty; and to thank his majesty for informing us, that he has in the mean time directed such advances to be made as are authorized by law:—To express our concurrence in the satisfaction felt by his majesty in being able to acquaint us that a considerable improvement has taken place in several of the most important branches of our commerce and manufactures; and that, in many of the manufacturing districts, the distresses which prevailed at the commencement of the last session of parliament have greatly abated:—To thank his majesty for the assurance of his most anxious desire to concur in every measure which may be considered as calculated to advance our internal prosperity:—To convey to his majesty our strong conviction, that, notwithstanding the agitation produced by temporary circumstances, and, amidst the distress which still presses upon a large portion of his majesty's subjects, the firmest reliance may be placed on that affectionate and loyal attachment to his majesty's person and government, the testimonies of which he is graciously pleased to acknowledge as having recently received from all parts of his kingdom, and to consider as the best and surest safeguard of his throne:—To assure his majesty, that, in the discharge of the important duties imposed upon us, we are fully sensible of the indispensable necessity of promoting, to the utmost of our power, a due obedience to the laws, and of instilling into all classes of our fellow subjects a respect for lawful authority, and for those established institutions, under which the country has been enabled to overcome so many difficulties, and to which, under Providence, may be ascribed our happiness and renown as a nation."

Mr. *James Browne* rose to second the Address. He said, that eventful times had been lately witnessed, in which destructive principles had assumed new shapes, and menaced every thing valuable with ruin. He hoped such scenes would never be renewed. He could almost wish them obliterated from our history, if it were not that their remembrance might have a salutary influence on two sets of men—one of whom forgot their duty to their country, in the heated activity of party, and the other passively submitted to the developement of principles at variance with all its interests. As to the Address which had just been offered to the House, he did not know what grounds of opposition there could be to it. The present times imposed on parliament a heavy responsibility. He was sure it was the wish of every honest man to see parliament take such steps as would tend to tranquillise the country. It was only his part to show that the Address advised such a mode of proceeding. It was peculiarly necessary in these times, when principles of rational duty and conduct had been so much laid aside, that parliament should not so descend from its high station, and be so forgetful of its dignity as to allow the session to terminate without attending to the wants, the interests and the business of the nation [hear! from all parts of the House]. He should not have indulged in those general observations, if facts had not too strongly impressed on his mind the necessity of keeping such points in view. The honourable member then adverted to the actual state of Ireland. He said, that by a kind of infatuation, from which no national wisdom was at times exempt, the affairs of Ireland had been for a long time made the subject of short consultations and ill-attended debates. Yet during the progress of the events which had lately harassed and divided this country, the most furious demagogue there had not raised his voice to applaud the conduct of those who endeavoured to agitate Great Britain, and who introduced the new and odious doctrine, that the same licence should be allowed to female conduct which the established usages of society had given to men. It did not, however, require much research into history, to show, that national debauchery and national ruin went hand in hand. As to ministers, he, for one, must approve of their conduct in the most trying emergencies. He saw in them no deficiency of virtue or wisdom. They had acted in a manner worthy of themselves, and worthy of the great glories which they had achieved for the country—glories which he trusted would eventually bear them triumphant through all the aspersion and calumny which the spirit of party had endeavoured to heap upon them; but if they failed, it was his sincere opinion that they would fall in the defence of all those principles and institutions which contributed to the national safety, honour and happiness. He concluded by seconding the Address.

Mr. *Curwen* concurred in many of the general observations expressed by the honourable mover and seconder of the Address, and agreed with them, that the Speech from the throne did not contain any topic on which there could be any material difference of opinion; but although what it contained was not likely to provoke discussion, yet he could not but remark upon what it had omitted. It was not the first time he had had to lament the ignorance which ministers showed of the real state of the country. When he looked to the state of agriculture, he would ask, could the noble lord opposite be really ignorant that the agricultural interests were in so wretched a condition, that scarcely any abatement would induce the cultivators of the land to go on with their labours? Knowing, as he did, their privations, their disappointments, their sufferings, he could not but call on every man of sound and honest feeling to admire their exemplary patience. There were men, however, who arrogated to themselves the monopoly of all the loyalty in the country; but the conduct of a community which had borne unexampled hardships with an unparalleled spirit of endurance, proved that loyalty was not an exclusive possession, that it was not confined to this or that set of men, but was the great characteristic of the country. This being the case, he was sorry to find that the Crown, on the present occasion, had not expressed one solitary feeling of regret for the fallen prosperity of agriculture, and the ruin of the spirited and hardy race, whose labours had previously placed it in so flourishing a condition. He could not tell why this topic had been passed over; he did not speak of it as an irritating subject, nor did he wish to recall the events of past times. If he touched upon matters of so melancholy a character, it was because he wished that measures should be taken, while there was yet time, to conciliate the operation of all parties, in attempting the salvation of the country. He had long ago told ministers that they were leading the country to ruin; and he saw that their measures were so partial and confined, that in avoiding one evil they necessarily fell into another. Deeply did he lament, that session after session should be suffered to pass without any attempt to discover a real and effectual remedy for such a state of things; yet he still hoped that it was not too late for that remedy to be applied. He rejoiced in the temper evinced by the Speech from the throne; by that Speech he would wish to believe that the olive-branch was held out. Whatever might be the conduct of ministers, it showed something like a spirit to conciliate and heal, and he hoped in God, that such an expectation might be realised. —The hon. gentleman then adverted to the subject of reform in parliament: he stated that a temperate reform, such a reform as would make that House be respected by the people (and further he would not go), was essential to the re-establishment of internal peace, and general confidence and prosperity. As to ministers, they had fully proved their inability to govern; never was the community so universally impressed with the conviction of the incapacity of their responsible rulers as at the present moment; so general was that feeling, that all ranks of men looked to their removal as their only hope. Even the loyal addressers could not approve of the conduct of administration. It was impossible that the country could go on and pay the enormous taxes with which it was burthened. How, indeed, could it be expected, that with an income so decreased, such an overgrown system of taxation could be discharged? The whole landed property of the country at 25 years purchase could not meet the demand upon us. It was time, then, to promote conciliation, and to try what could be done to save the country. It could no longer be said, "sufficient, for the day is the evil thereof." No man could look on the state of the industrious classes, and see their means consumed and themselves driven into pauperism, without raising his voice against the system from which such alarming and progressive evils flowed. The poor-rates had increased beyond all precedent; it was calculated that this tax alone was adequate to the whole rental of the country. Did ministers think this subject also unworthy their attention? It was in vain to avoid these subjects; if we passed them over to-day, to-morrow they would force themselves upon us. The only way to escape the ultimate danger with which they menaced us was, to look them now fairly in the face. He was convinced, that if the people found that their exertions were met by a respondent wish on the part of government, they would bear cheerfully whatever it was necessary for them to sustain, until an effectual remedy could be applied to the grievances which destroyed their resources, and neutralised their industry. The hon. member concluded by repeating his earnest wish, that the agricultural state of the country should be seriously taken into consideration.

Mr. *Tierney* said, it was with great satisfaction that in rising to speak, on the first day of the session, on the address in answer to the Speech from the throne, he felt himself freed from the necessity of troubling the House with any amendment. He knew, from long experience, that, as a mark of respect to the Crown, the course always adopted in the House was, never to move an amendment unless the address contained something which pledged gentlemen to an opinion contrary to that which they really entertained. The gentlemen on his side of the House came, however, to the consideration of the question under circumstances of considerable difficulty and disadvantage. They now, for the first time, heard the Speech, and they were immediately called on for a decision. This was a practice only of late years. Formerly it was customary to read the Speech at the Cock-pit the night before the meeting of parliament, which placed gentlemen on a perfect equality. Although he did not mean to offer any amendment, he hoped the House would forgive him if he did not pass by the Speech without remark. Taking it as a whole, there was nothing in it to provoke discussion. He never heard a Speech from the throne less likely to call forth the observations of a friend, or to provoke the animadversions of an enemy. It was as moderate and correct as a speech, placed by ministers in the mouth of his majesty, could be supposed or expected to be.—He was extremely glad to hear that the continuance of peace with foreign powers was likely to remain uninterrupted; because, notwithstanding all that was said about the improvement of the revenue, he was convinced that the stability of the finances of this country depended on the duration of peace; for though they might uphold their finances, until circumstances produced a new war, yet, taking every thing into consideration, he could not avoid looking to that period with great dismay. Therefore, it gave him pleasure to find that the friendly disposition of foreign powers was not likely to be interrupted. The next point in the Speech was, that his majesty observed with great concern the recent occurrences that had taken place in Italy. This was not the proper opportunity for entering into a discussion on the events which had taken place there. But he thought the ministers of this country would not do their duty if they stood by, in a neutral attitude, and did not prevent the great powers from exercising acts of aggression against the small ones. He felt some mortification, after the millions they had expended to secure the peace of Europe, when he found that they were to confine themselves to humble, to very humble hopes, that that peace would not be disturbed by the recent events which had been alluded to. There was a time when a different tone would have been held; and he hoped ministers would, in a proper manner make known to those who were likely to disturb the tranquillity of Europe, when he found that they were to confine themselves to humble, to very humble hopes, that that peace would not be disturbed by the recent events which had been alluded to. There was a time when a different tone would have been held; and he hoped ministers would, in a proper manner, make known to those who were likely to disturb the tranquillity of Europe, that this country would not allow any unprovoked aggression. Why had not England an accredited representative at the court of Naples? But it was said that an agent had been sent, not indeed to a court, but to a meeting of sovereigns; whose employment it was, to summon other sovereigns before them, in order that they should give an account of their proceedings. These matters would, however, come under the cognizance of the House hereafter, when they had assumed a more ripened shape. In the next place his Majesty expressed his acknowledgment for the provision which had been made last session for the support of his civil government. No person was more ready to provide for the expenses of the Civil List than he was; but he could not avoid observing, that these acknowledgments came rather tardily. Recollecting that it was the commencement of a new reign—looking to the distresses of the people, and considering the liberal manner in which the Civil List was provided for, it surely was not too much to expect that at the close of the last session of parliament, some expression of thanks—some manifestation of grateful feeling, would have been directed to parliament. He was sure it would not have been unpleasant to his Majesty to express the feeling that existed in his own breast; but it would have been extremely inconvenient for ministers to meet parliament; and, therefore, by an unexampled proceeding, to prevent any discussion (not through any feeling for the honour or dignity of the throne, but to preserve their own situations), they insultingly dismissed the House.—He found that it was intended to make some reduction in the military establishment. He was glad to hear it; and, when they knew what the reduction was, they would be able to decide whether it was sufficient, or whether a further reduction ought not to be made. Until that period, he must abstain from offering any opinion on the subject.—The most important part of the Speech was that which related to the finances. He did not think, at this time of the day, any man could suppose that a material improvement could be made in the revenue of the United Kingdom. The revenue, on the 5th of January last, exceeded, it was said, the amount of the revenue on the 5th of January preceding. Undoubtedly it did; but every man was aware of the cause of it, and would attribute it to the 3,000,000*l.* of new taxes coming into operation at that period. Ministers felt this, and went on to say, that in those branches which were the surest indications of internal wealth there was a great augmentation. He would state the case thus:—There are 3,000,000*l.* of new taxes, the whole of which were in operation on the 5th of January last; but they were only in operation for one quarter, on the 5th of January preceding. For three-fourths of the former year they were not available. Those new taxes were calculated to produce 3,200,000*l.*, but they really produced only 2,200,000*l.*: therefore he, as a plain man, would say, that they had lost a million. With respect to the particular articles alluded to, the statement of increase was not correct. On the whole year there might be an increase; but in the corresponding quarter there appeared to be a falling off. Now, why was it necessary, in the present state of the country, to hold out such a delusion? It was not because expressions of the prosperity of the country were put into the royal mouth, that therefore a person acquainted with the real situation of things should stultify himself by believing them against the dictates of his own sense, and when he knew the reverse to be the fact.—The next subject alluded to in the Speech was certainly a very delicate one—he meant the intended provision for the Queen. Upon that delicate subject the King said in his speech:—"The separate provision which was made for the Queen, as Princess of Wales, in the year 1814, terminated with the demise of his late Majesty. I have, in the mean time, directed advances, as authorized by law; and it will, under present circumstances, be for you to consider what new arrangements should be made on this subject." He owned that this mode of communicating that his majesty had continued to the Queen the 35,000*l.* a year voted by parliament for her majesty when princess of Wales appeared to him a little remarkable. He had always thought that it was for the Crown to recommend such grants as his majesty should deem proper for the establishments of such branches of the royal family as the King should select and point out. Of course it would be for the Chancellor of the Exchequer to point out the mode of carrying the details into execution; but still the recommendation usually came from the Crown in a more distinct and specific shape than in the present instance. The manner of doing it appeared to him here to be unnecessarily cold; it would have been, in his opinion, better at once to have been explicit, and stated, fully and unequivocally, what were the whole of the intentions of his majesty's ministers towards the Queen, and by so doing putting an end to a painful and distressing subject, which had for the last nine months agitated the country from one end to another. Ministers should have avoided any thing like ambiguity on such a subject, and not have gone out of their way to use the term "new arrangements;"—a phrase which looked as if something more was intended than met the eye. It was his intention to have also expressed his surprise that nothing had been explicitly said upon the subject of agriculture; a subject upon which, however, his observations had been anticipated by his hon. friend near him (Mr. Curwen). Commerce and manufactures were in a very distressing state; and agriculture was on all sides pressed upon. The next topic in the Speech was where the King used these words:—"In the discharge of the important duties imposed on you, you will, I am confident, be sensible of the indispensable necessity of promoting and maintaining, to the utmost of your power, a due obedience to the laws, and of instilling into all classes of my subjects a respect for lawful authority, and for those established institutions under which the country has been enabled to overcome so many difficulties, and to which, under Providence, may be ascribed our happiness and renown as a nation." Now one would really have thought from events lately recorded in the gazette, that this duty of inculcating a due respect for the laws was almost unnecessary. There was another topic which the Speech did not omit to notice; it was that which spoke of the satisfaction which his majesty had received from the loyal Addresses which had been voted to the throne from different parts of the kingdom. He was glad that those things had given his majesty satisfaction; but it was very remarkable, that the loyal Addressers did not express affection or attachment to any thing in the shape of a man in this country, but his majesty. It was said, indeed, that his majesty had received with satisfaction those assurances of attachment to his person and government; if by government was meant the Constitution, they would all agree upon the subject. But if by government was meant the King's ministers, he would be glad to be shewn the single address which declared any attachment to them or expressed any approbation of their conduct. He had not seen in any news-paper, or any were else, one solitary address to that effect, not one which said a word about the matter. Ministers were too modest to require any such thing. They shrunk, no doubt, from their own commendation, but certainly their ability for bearing much eulogy had not of late been put to the test (a laugh.) No, the Addressers confined themselves to general expressions of loyalty, and observations upon the existence of blasphemy and sedition, along with the old story of the licentiousness of the Press. But it was very remarkable that there was nothing in the Speech from the throne about either the press, blasphemy, or sedition, yet those subjects had been for some time agitating the country, and made the pretext for convening numerous meetings. It was evident, therefore, from the loyal Addresses themselves, that all men were heartily tired of ministers, and wished to get rid of them. These Addresses, however, were easily got up; they arose out of nothing but the failure of the measures advised by ministers in the last session. For their own convenience, and to recruit their shattered resources, ministers then had parliament prorogued, and employed two months in prevailing once rtuin boroughs and corporate bodies to vote what they called Loyal Addresses, while in the mean time, in many instances, where a respectable county meeting was demanded, to animadvert upon the late measures of the government, the sheriff interposed obstacles in the way, and did all in his power to prevent it. He did not forget that in the discussion on the bills for Regulating Public Meetings during last session, the advocates of ministers had stated, that it would add a dignity to the right of petition, to put meetings for that purpose under the control of the sheriff; but now it appeared to be equivalent to obstructing the right of petition. He must say, that, in some instances, the conduct of the sheriff had been quite outrageous. But, whenever meetings had been allowed to be convened, whether in whig or tory counties, as they were called, to vote addresses expressive of loyalty, they could not refrain from tacking to them amendments condemnatory of the conduct of ministers, to whom the country was aware that it was indebted for more evils than to the licentiousness of the Press. Even so late as yesterday, one of the strongest tory counties (Oxford,) was glad to adopt an amendment against them. His majesty had, however, relieved the country from any alarm which was attempted to be sounded by the cry of blasphemy and sedition, in not noticing these topics in the Speech from the throne. The expressions of loyalty had, however, given heartfelt satisfaction to his majesty, and on that account alone he was glad of them; though he believed they gave no satisfaction to any other person in the kingdom.

Lord *Castlereagh* said, he did not rise on account of any thing which had fallen from the right hon. gentleman who had spoken last; on the contrary, he thought he had gone through the several topics of the Speech from the throne, with much candour, and a great deal of good temper. He might be allowed to say, however, that when, in an early part of the evening, he had seen the right hon. gentleman driving into the field of the hon. and learned member, he was led to believe that the debate would be a long and stormy one, and he did not know at what period of the morning they would be enabled to separate. Now it appeared that he had been mistaken, and for all that had happened, they might as well have proceeded at once to the ordinary business, as have consumed the early part of the evening in a very novel and useless kind of debate. But, though it could not be objected to the Speech from the throne, that it contained any topic which could excite a debate, they were, nevertheless, told, that important matters had been omitted which it should not have passed over. An hon. gentleman opposite (Mr. Curwen,) had brought before the notice of the House the agricultural interests. He could assure the hon. gentleman that government did not look with indifference on them or on any of the interests in which the prosperity of the country was bound up; but he believed that the distress of which he spoke, arose more from the internal circumstances of the country, than the state of the laws as they affected agriculture, and the produce of the land. Ministers would be always ready to hear from that hon. gentleman, or from any other, such plans of relief as could have a practical result. Such suggestions as could be usefully adopted, when made upon former occasions, had not been unattended to. The right hon. gentleman who spoke last, had forcibly animadverted upon the necessity of cultivating that pacific system which was so agreeably dwelt upon in the opening paragraph of the Speech. He could assure him, that he did not overrate the importance and value of a continuation of peace more than his majesty's ministers did; nor could he have a more fixed determination to maintain peace by all the means which were consistent with the honour, dignity, and safety of the country. With reference to the continental relations of the country, he should be happy at the proper time to give the right hon. gentleman every explanation for which he might think proper to call. He would then see that the fundamental policy of this country, in its late intercourse with foreign powers, was uniformly pacific; but were they therefore to be called upon to intermeddle with the internal arrangements of other powers? Were they to be called upon on every occasion to direct and control what other states might think necessary for their own interests, or for what they thought or felt to be their own interests? Was it to be enforced as a part of the policy of this country, that England should interfere with whatever arrangements other powers should adopt for their own security? He was sure that such a spirit of intermeddling would ill accord with that pacific spirit which was so well described as being the best policy for England to inculcate in her relations with other states. If this country meant to remain at peace, she must not show too great a desire to intermeddle with the internal affairs of other nations. England was a power eminently maritime in her character, and could only appear on the Continent under the pressure of imperative circumstances. Certainly not, without a commanding and unavoidable necessity, for the purpose of controlling or intermeddling with arrangements which had no reference to her own interests. Whenever the proper time should arrive, his majesty's government would be prepared to shew, that the language which had been held by this country, and the principles on which that language had been founded, were perfectly consistent with its character. This, however, he begged leave at once to say, that it must not be inferred that Great Britain was of necessity a party to all the deliberations and conclusions consequent on those discussions, at which a British minister might be present. We had our own interests to watch over; and in his opinion it was an additional proof of the confidence happily existing among the great powers of Europe, that they received at their meetings the ministers of powers, who were not immediately connected with the measures in progress; in order that their respective governments might, nevertheless, have the satisfaction of knowing the exact nature of those measures. He hoped he had said enough on this part of the subject, and he would therefore reserve any further observations for a future opportunity.—With respect to what had fallen from the right hon. gentleman upon the state of the revenue, the House would of course expect the fullest information from his right hon. friend, the Chancellor of the Exchequer; but as his right hon. friend might not feel himself called upon to rise in the course of the present evening, it would perhaps be as well if he shortly stated what was meant in the Speech upon that head. What the Speech intended to convey was this: that the revenue of the year had not decreased in comparison with the former year, notwithstanding the deficiency in the Irish and in the foreign trade, at the commencement of the year, the latter had, however, considerably increased towards the close of the year; The Speech, it was true, gave credit for a part of the increase of revenue to the operation of the new taxes; but, independent of these, it gave credit for an increase in that revenue itself. The right hon. gentleman had said, that the estimate of the new taxes was 3,200,000*l.* and the receipts 2,200,000*l.* leaving a deficit of 1,000,000*l.* Now, that was not the fair way of putting it, for the right hon. gentleman should have born in mind, that 700,000*l.* of the new taxes had been received during the last year, which, if added to the 2,200,000*l.*, or as the fact was, 2,300,000*l.* made an increase of 3,000,000*l.* in the revenue. And had it not been for the falling off of 600,000*l.* in Ireland from local causes, and of between 600,000*l.* and 700,000*l.* early in the year in our foreign trade, the aggregate amount of revenue would have been 4,000,000*l.*; from which deducting the 3,000,000*l.* new taxes, there would have remained a surplus of about 1,000,000*l.* In the early part of the last year, there was certainly a marked falling off in the commerce of the country, but that depression had ceased; and looking at the last half-year, there was great reason to entertain the hope of a complete return of our commercial prosperity. Although every man must regret that there still existed much local pressure and distress, he appealed to the House, whether, in the situation of those districts which were suffering most when parliament last inquired into the subject, there was not a marked improvement. Not only were the wages of the manufacturers in general increased, but those wages were rendered more applicable to the wants of the individuals, by the reduction which had taken place in the price of the necessaries of life. There was every reason to hope that this favourable state of things would become still more satisfactory.—Now with respect to that part of his majesty's Speech which related to the provision to be made for the Queen, he did not understand the right hon. gentleman to make any complaint, but that it would have been more becoming if his majesty's ministers had advised his majesty to suggest some specific sum, as that which he would recommend for their adoption. If the right hon. gentleman thought that the word "arrangements" in his majesty's Speech meant any thing more than that which parliament might consider a suitable provision for her majesty, he was much mistaken. It was more consistent with the uniform practice, in speeches from the throne, to call the attention of parliament generally, and not particularly, to such subjects. In messages, particular sums had, at various periods, been recommended, but not in speeches from the throne. Of course it would be the duty of his majesty's government to propose to parliament the sum which, in their view of the subject, was the most expedient; and he would therefore now give notice, that on Wednesday in the next week he would make a proposition to the House on the subject. He fixed Wednesday, because Monday and Tuesday were days over which parliament were in the habit of adjourning. On Wednesday, therefore, he should propose what his majesty's government considered would be a proper provision for her majesty; and it would be the only proposition which it was his intention to make on that anxious subject;—there were other parts of the right hon. gentleman's speech to which he did not think it necessary at that time to advert; although he could not help acknowledging the temperate character of the whole of the right hon. gentleman's remarks. On one point however—the separation of parliament—he wished to make a few observations. He could assure the right hon. gentleman, that, if he imagined that his majesty's government advised the prorogation of parliament, to evade the discussion of their conduct in that or the other House, he was much deceived. He could assure the right hon. gentleman, that nothing was more gratifying to him, than that the moment had arrived in which the whole of their conduct might be investigated, and considered with that gravity and deliberation which, it was the interest of the country, should attend all their proceedings. For himself, he could justly say, that he had never felt any difficulty, in the situation of the country, which had not been considerably relieved by the application of the wisdom of parliament to the subject. In recommending to his majesty, therefore, to prorogue parliament, in November last, his majesty's ministers had not been influenced by any wish to elude inquiry. They had no disposition to conceal any thing from the House on the subject. But the fact was, that at various adjournments of that House which had taken place prior to the prorogation, it had been distinctly understood, and on one occasion, he had endeavoured distinctly to convey that understanding to the noble lord on the third bench on the other side of the House, that the vote of adjournment was proposed, in order that, if the bill then in progress in the House of Lords should pass, the House of Commons should meet in pursuance of the call; but that if the Bill of Pains and Penalties did not come to that House, then the call would not be enforced, as it was not intended to bring forward any other business. That was his view of the transaction; and what he had just stated was simply laying the ground on which he should be hereafter prepared to meet the question.—With respect to what the right hon. gentleman had said of the loyalty of the country, he could assure the right hon. gentleman that he was as confident as the right hon. gentleman himself could be, that that loyalty would always manifest itself, whenever circumstances imperatively called for it. He had always been persuaded, whatever might be the occasion, that when the best interests of the country were involved, the good sense and good feeling of the country would assert themselves, and make their voices heard in support of the constitution. He had always maintained, that it was only necessary for the country to see its danger, to make its voice heard, and heard most loudly. Undoubtedly he did not lament, that at the moment when the infatuation of the country was at its highest pitch, that language had not been spoken which the right hon. gentleman said was now so intelligible. The right hon. gentleman, however, knew well what was the real feeling of the country;—he knew well that no minister had ever dared to show his face in that House, and he (Lord C.) trusted that no minister would ever dare to show his face in that House, who had lost the confidence of the country. The minister who had really lost the confidence of the country, could not possess the confidence of that House; for the people of the country, he meant the rational part of the community—that part which alone ought to possess any influence over the legislature—always made its sentiments as distinctly and intelligibly felt in that House, as if the wildest plan of reform that was ever proposed had been adopted. He could assure the right hon. gentleman, that, if he supposed that either himself or his colleagues wished to remain in the service of their sovereign a moment longer than they possessed the confidence of the House and the country, he had mistaken the men he had to deal with. As long, however, as they possessed the confidence of their sovereign, of the House, and of the country, no difficulty with which they had to contend, no taunts from the right hon. gentleman or his friends, no apprehension of consequences personal to themselves, should induce them to shrink from the discharge of their public duty. He would say in reply to the right hon. gentleman, that he felt it no reproach to have the conduct of ministers not specifically introduced in the late Addresses, although he thought it a little too much to say, that the government had influenced the sheriffs in the mode of discharging the duties of their office; that was to pay but a poor compliment to the gentry of the country. It would indeed have been a reproach to his majesty's ministers, if, at a moment when the most valuable interests of the constitution were at stake, through the supineness of the good—and the activity of the bad, they had not called upon the rational part of the country to come forward to vindicate its character—and maintain its institutions. They were not surely open to reproach that, when the principal classes of the community were engaged in testifying their loyalty, they did not press upon them any particular approbation of the measures of ministers. Their conduct in that respect furnished a striking contrast to that of some of their opponents, who never could afford a declaration of their loyalty to the throne and attachment to the constitution, when both were threatened by the schemes of the disaffected, without covenanting for a change of the government.—Whether or not parliament considered such a change desirable, was not the subject of the present discussion. An early day would probably set that question in a clear light. The right hon. gentleman (whom, although he disclaimed being the head of a party, or that he possessed any influence beyond that of an individual member of parliament he had certainly heard on more than one occasion marshalling his forces with the authority of a leader) might bring that subject under discussion, than which no one could be more expedient or more constitutional, whenever it appeared that the servants of the Crown had lost the confidence of the House. The short question would then be, whether a change of his majesty's government should take place, with a view of substituting the right hon. gentleman and his friends for his majesty's present ministers? That question he should be most happy to meet at the proper time. He trusted he did not look to its agitation with unbecoming presumption; but he felt himself perfectly prepared to state to the House the grounds on which his majesty's present ministers hoped they should continue to receive the sanction and support of parliament. If that sanction and support were withdrawn, that step would, of course, determine the fate of his majesty's present government. He was sure that the House would decide in wisdom. If their decision should prove unfavourable to him, he would bow to it with that sentiment of respect which would become him. He confessed, however, that he entertained no mistrust whatever of the issue of the contest: and he was therefore fully prepared and anxious to meet the right hon. gentleman, whenever he might think proper to make such a proposition as would allow of the determination of the question between them.

Lord *Folkestone* observed, that however much provoked to do so by some of the topics which the noble lord had introduced in his speech, he would not detain the House for any length of time. He certainly did not entertain much hope that the country would get rid of the noble lord, if it depended on that House. So long as the influence of government was exercised in that House—that was, so long as the House was constituted as it was, so long he had no doubt the noble lord would enjoy the confidence and support of that House, in spite of the opinion of the country. He dared to say, the noble lord, or his right hon. friends, could shew them in black and white how well their trust in the confidence of the House was founded. He dared to say that the gentlemen of the Treasury, if they exhibited the correspondence which usually took place before the meeting of parliament, could afford a very satisfactory reason for the expectation of ministers on the subject. But, if the noble lord relied on the confidence of the country—if he thought, that because, he possessed the confidence of the sovereign and of that House, he therefore possessed the confidence of the country, he would find that he was very much mistaken. The events of the last three months ought to convince the noble lord of his error, if he supposed that he and his friends possessed the confidence of the country. At no period of our history had half, or even a tithe of the number of public meetings taken place, that had been held within the period he had mentioned; and at every one of those meetings, held in such a manner as to admit of public discussion, the conduct of the noble lord and his colleagues had experienced the most unequivocal reprobation. That a number of what were called Loyal Addresses had been sent up to the Crown, he knew perfectly well; but they had been voted in secret, among gentlemen who were professed supporters of the present administration, although not one of them had ventured to express any opinion of the measures of the noble lord and his colleagues. Expressions of loyalty coming in such a way were not of much value. In his conscience he believed that his majesty knew nothing of the way in which these Addresses were got up; and of this he was persuaded, that some of them contained expressions, which, if repeated to his majesty, would incur his reprehension. And here he must say, that he could not conceive any thing more extraordinary than that the Secretary of State for the Home Department should take upon himself to make a selection from the various Addresses; and to determine that he would present one, because it contained what he considered dutiful, loyal, and affectionate expressions; and withhold another, because it charged ministers with wanting the confidence of the country. He highly disapproved of this selection, both because it was unconstitutional, and because it was unfair towards his majesty, as it afforded him only one view of the question. The noble Secretary of State for the Home Department, in the course of his selections, had selected one address, which had lately been published in the gazette, and which, if it had appeared in any other paper, would unquestionably have called down the punishment of that House. This address professed to proceed from a set of clergymen. It stated that the Addressers "had witnessed with much regret the spirit of disaffection so prevalent in the country, and especially the violent and unconstitutional speeches of the Opposition in both Houses of parliament; and that they could not refrain from expressing their indignation at the insolence of certain members of the Opposition on the prorogation of parliament; persuaded as they were that if such conduct were to pass unnoticed in the representatives of the people, that nothing less than general sedition could be expected in the country." Such were the style and language of the Addresses which the noble Secretary of State for the Home Department took upon himself to select for publication in the gazette. Such was the respect which those Addressers exhibited for the constituted authorities. And then the country were told of the licentiousness of the Press! With respect to the Speech from the throne, there was not much in it to cavil at. Ministers had purposely made it express as little as possible. This was the necessary consequence of what he could not but consider a great innovation; namely, that of returning an Address, immediately after the delivery of the Speech. Up to the reign of Queen Anne, another course was pursued, more consonant to common sense—and to the respect due to the Crown. When parliament was opened with a Speech from the throne, instead of instantly replying to all the topics of the Speech, time was taken for consideration, and the answer to the Speech was always postponed for several days. He believed that this practice was first departed from on the occasion of one of the duke of Marlborough's great victories. But even up to a period within his own memory, it was usual to promulgate the contents of the Speech the day before, so that any hon. gentleman might come down to the House prepared to speak to the Address. That was a practice much more consonant to common sense, and to the respect due to his majesty, than the present one of requiring an immediate Address, which was of course an echo of the Speech, and of framing the Speech, in consequence, in such a manner as to make it mean little or nothing. Adverting to the sudden prorogation of parliament in November, he contended that the mode in which that prorogation took place was wholly unprecedented. After a more liberal supply than had ever before been granted to the Crown, that House had been dismissed without a single word of acknowledgment. He denied that the understanding on the subject was such as the noble lord had represented it to be; but even if it had been so, the prorogation ought to have taken place in a different manner. In his opinion, it was the duty of ministers to have advised his majesty on that occasion to make a Speech by his commissioners, declaratory of his sentiments on the state of public affairs. That state was certainly one of extraordinary danger; for the country had been in unparalleled agitation for several months. Some statement might have been made on the part of his majesty to quiet that agitation, and to prevent all the turmoil which had since taken place. He denied, however, that there was a general understanding that the prorogation would take place under the circumstances described by the noble lord; and he appealed to all who heard him, whether the prorogation did not come upon them as a kind of surprise? The prorogation itself, and the manner of the prorogation, were both improper.—There were a great many omissions in the present

Speech. One was, that of any allusion to the agricultural distress, pervading, as it did, every part of the country, from one end of it to the other. To his great astonishment, the noble lord had declared, that there had been a great improvement in our commerce and manufactures during the last three or four months, and that that improvement was going on. As no other person had heard of that improvement, the fact appeared to him to be incredible. He remembered that at the opening of the last session similar congratulations had been offered to the House on the state of our domestic affairs. A few years ago the flourishing condition of our commerce was vaunted in a Speech from the throne, within nine months from the delivery of which, the country was overwhelmed with commercial distress, which the noble lord attributed to the sudden transition from war to peace. He would ask the noble lord, or the right hon. gentleman near him, what were his grounds for his present expectation of increasing commercial prosperity? So far was he from thinking that our trade and commerce would prosper, that he was persuaded they would go on from bad to worse, while the present taxation continued. Much as he respected the opinions of his right hon. friend near him, he must say, that he still adhered to all the principles which he had laid down two years ago, on the discussion of the Bill for the Resumption of Cash Payments. Every minute of his subsequent experience had confirmed him in the opinion which he on that occasion maintained, namely, that it was impossible the country could bear a return to cash payments without a previous alteration in the gold standard. A great part of our debt having been contracted when the pound was much depreciated, it was clearly impossible, and would be manifestly unjust, to pay the interest in pounds at the existing gold standard. There were many other calamities under which the country was labouring, of which no notice was taken in the Speech from the throne. One, which was by no means the least, which had been taken in hand by that House three or four years ago, and which all persons agreed, required the most serious and immediate consideration, was the state of our Poor Laws. If his majesty's government had in contemplation any proposition to remedy this, or the other evils inflicted on the country, it ought to have been noticed in his majesty's Speech. Something might also have been said in it of the agitation into which the country had been thrown by the conduct of ministers with respect to the Queen. For five months the country had been kept in a state of inquietude on this subject unparaleled, and pregnant with the greatest evils. Nothing of the kind was, however, adverted to; and he firmly believed that ministers would persevere in their iniquitous course until they absolutely drove the people to distraction. That the noble lord would carry his measures he had not the slightest doubt. That he would obtain large majorities there was not the slightest doubt; and as little, that the unhappy people would continue to be harrassed and distracted. In every point of view the prospect before us was distressing and melancholy.

Mr. *Wodehouse* protested against the assumption, that whoever supported the measures of administration, and especially with reference to her majesty, must necessarily be a most servile dependant on a most wicked government. From whom came the objection to the loyal Addresses, which some characterised as abetting tyranny, others as fomenting sedition?—From those who considered it a feather in their caps, that they were the advocates of freedom of opinion. If, however, he, or those who thought with him, expressed their opinion, they were instantly called "dogs," "dunghill dogs," "hole and corner men."—Hole and corner men!—Why, there was no hole or corner, however obscure, into which he would not retire, if he conceived it necessary to the free and uncontrolled expression of his sentiments. It was the power of expressing an unbiassed opinion, that made the privilege valuable.

Lord *Folkestone* explained, that he had never objected to the expression of any opinion, but merely to the manner in which it was expressed. He wondered how the King could derive any satisfaction from addresses got up in the secret manner he had pointed out.

Mr. *Bathurst* rose to vindicate his noble relative, lord Sidmouth, from the imputation which had been cast upon him by the noble lord. He contended, that the selections of the Addresses for presentation to the King were founded in the strictest policy, and denied that in this selection any improper preference had been given.

Mr. *Warre* contended, that the explanation of the right hon. gentleman was wholly insufficient. Adverting to the address which had been cited by the noble lord, he characterised it as foully scandalous; and commented with much severity on the bad grace with which the selection of it proceeded from a noble lord who had issued a celebrated circular to the magistrates of the country on the subject of libel.

The Address was then put and agreed to.

HOUSE OF COMMONS.

Wednesday, January 24.

CONDUCT OF MINISTERS.]—The Marquis of *Tavistock* said, that as his noble friend, lord A. Hamilton, had fixed his motion for Friday, he wished to give notice, that he would, on Monday se'nnight, move a Resolution expressive of the opinion of the House on the conduct of ministers in the late proceedings against her Majesty.

PETITIONS RELATIVE TO THE QUEEN.] Sir *W. Lemon* presented a petition from the inhabitants of Truro, in Cornwall, complaining of the late proceeding by Bill of Pains and Penalties against their beloved and gracious Queen. They prayed the House to use its influence in restoring her majesty's name to the Liturgy, and in re-instating her in all the constitutional rights and privileges which belonged to her as Queen Consort of these realms; they also prayed an inquiry into the conspiracy by which her majesty had been accused; and expressed a hope that parliament would exert itself to prevent a recurrence of those disgraceful proceedings against her, by which the country had so long been agitated.

Mr. *Tynte* presented a similar petition from the inhabitants of Bridgewater, upon which he begged to offer a few observations. The petition would show the sentiments entertained by them of her majesty's innocence of the gross charges made against her. For himself, he was not influenced by any opinion either of her majesty's guilt or innocence. He disapproved of the whole proceeding, because he felt that the charges brought against her majesty were of a most vague and indefinite nature, and in opposition to the established laws of the country.—He disapproved of those proceedings, because they did not afford her majesty the same means of defence which were granted to an accused party in every other case. But looking at those proceedings in another point of view, he disapproved of them because he conceived them to be a violent attack upon the Constitution; for if the Bill of Pains and Penalties had been forced through both Houses of Parliament, and had received the royal assent, he knew not how soon or how often new prejudices might arise, and new charges be made out against other parties. He knew not how soon new modes of trial might be introduced, calculated to insure a conviction against any individual accused, however exalted, or however innocent [Hear hear!]. He opposed the measure, because he felt convinced that it was "derogatory from the dignity of the Crown, and injurious to the best interests of the country." The House of Commons had endeavoured to put an end to the proceeding, but, unfortunately, in vain. It was not, however, yet too late to step in and preserve the confidence of the country; it was not yet too late to exert themselves for the preservation of what yet remained of the constitution. That constitution had of late been suspended, and in its room were substituted laws hastily enacted, and calculated for temporary purposes only.—These were the sentiments which he entertained upon the late proceedings, as well as upon the present state of the country. He did not at first intend to make any observations on presenting the petition; but knowing that it expressed the sentiments of a great portion of the loyal inhabitants of Bridgewater, he conceived himself bound to say a few words upon it.

Sir *Robert Wilson* thought, that as ministers took care to publish all the loyal addresses, as they were called, and the loyal addresses only, in the gazette, the petitioners to Parliament in favour of her majesty were entitled to have their petitions printed. He therefore moved, that the said petitions be printed.

The petitions were accordingly ordered to be printed.

Mr. *Pearse* presented a petition from the inhabitants of Northallerton, complaining of the late proceeding against her majesty, which they observed had its origin in a foul and malignant conspiracy. They prayed the restoration of her majesty's name to the Liturgy, that a provision suitable to her rank as Queen Consort should be made for her, and that an immediate inquiry should be entered into, as to the origin of the Milan commission, from which all the charges against her majesty appear to have originated.

Mr. *Western* said, that a petition had been presented, praying that House to institute an inquiry into the conspiracy against the Queen. He wished to learn from the noble lord opposite when he meant to institute that inquiry. The noble lord had said, during the last session, that if there was any conspiracy, it ought to be investigated, it ought to be probed to the bottom, in order that its nature, extent, and authors might be known. He (Mr. W.) would say, that a more foul and abominable conspiracy he had never heard of. The evidence produced against her majesty was proved to be all false and perjured. The accusations brought by his majesty's ministers had been supported by testimony which was proved to be perjured, bribed, procured by the most corrupt means and influence. The whole of the base and abominable proceeding was marked by bribery, perjury, and subornation. It was perfectly clear that the Milan commission was at the bottom of this foul and atrocious conspiracy.

Lord *Castlereagh* said, he would not be dragged prematurely, by large and high sounding phrases into a discussion of such an important question. He meant no personal disrespect to the honourable member; but, on a question so grave and so important, he would not make any statements until it should come under the judgment of the House fairly. If the hon. gentleman thought it proper that parliament should institute an inquiry of the kind alluded to, it was perfectly competent for him to move such an inquiry. He was in the recollection of the House, when he said, that in the last session, when a gallant general (Sir R. Ferguson) had moved for the production of documents to show the nature of the Milan commission, he (Lord C.) had complained of the choice of time for such a motion, when the conduct of the Queen herself was under investigation. He must really express his surprise that gentlemen who had on every occasion when the house met moved an address to his majesty for a prorogation, in order to extinguish all inquiry on the subject of the Queen, should now appear so anxious to move any question on the subject.

Sir *R. Fergusson* said, it was true, that he had, last session made a motion on this subject, of which the noble lord had got rid by a mode peculiar to himself; that of moving the previous question. He wished, however, to remind the noble lord of his having then expressed his readiness to enter on the inquiry, when the proper period arrived. Now then, the proper period was arrived, and he put it to the noble lord whether he was ready to redeem his pledge?

Lord *Castlereagh* said, the gallant general had assumed that this was the proper time for entering upon such an inquiry. If he conceived so, let him make any motion he pleased upon the subject.

Mr. *Bennet* said, that, when the infamous bill of Pains and Penalties was in the other House, and when the infamous evidence in support of it had been circulated through the country, he had taken upon himself to say, that the evidence was decisive of the existence of a conspiracy—he would not say by whom—against the honour and dignity of the Queen. The noble lord had then said, that if a conspiracy did exist, he wished most anxiously to have it brought to light. He now called upon the noble lord to put his most anxious wish into execution. Ministers owed it to themselves, to the Crown, and to the country, to institute an inquiry into this odious transaction. Be they guilty or not guilty, they were charged by the country with having conspired against the honour and character of her majesty; and they were bound to enter upon the inquiry, if they valued what remained of their character. The noble lord accused the Opposition side of the House, with having last year endeavoured to put a stop to the proceedings against her majesty. True, they did so, because they not only saw the iniquity of the measure, but the evils which it would bring upon the country. Therefore it was, that they called for a prorogation of parliament. But now they called for inquiry, for the purpose of punishing the guilty, even though they should be found to be the confidential ministers and advisers of the Crown. There was nothing more natural than that ministers should wish to keep themselves safe; but the hour for such an inquiry would come, and that he hoped and trusted very shortly. He was anxious, for the honour of his majesty, that a full inquiry should be gone into. That House was bound to speak strongly, to prove that there existed a mutual feeling between the House and the country, and to force and drag forward not only the Milan commission, but all the advisers of that proceeding, and to insist on the restoration of her majesty's name to the Liturgy.

Lord *Castlereagh* said, it was for those honourable members who alleged that a conspiracy existed to prove it. It was rather too much to call upon those who were not aware of any such conspiracy to prove its existence.

Sir *R. Fergusson* asked the noble lord, whether the conspiracy, or whatever it was called, by which the evidence was collected, did not cost money? and if so, whether that expense was to be brought under the notice of parliament?

Mr. *Curwen* said, he held in his hand a petition from the borough of Cockermouth, which was most respectably signed, by a great proportion of the inhabitants of that town. The petitioners complained of the injustice done to her majesty in striking her name out of the Liturgy, before any trial had been instituted against her. They went on to state, that they had seen with sorrow and indignation the perjury and prevarication used in the witnesses against her majesty. They prayed that her majesty's name might be restored to the Liturgy; and also that the House would exert its influence in advising his majesty to dismiss from his councils his present ministers; men who, for the last twenty years, had declined practising that economy which was recommended from time to time by the Crown. He felt himself bound to support this petition. He had for years been listening to the tales and slanders which had been circulated against her majesty, and what was the result? They had heard the evidence brought forward against her majesty—evidence upon which, as a juryman, he, upon his oath, would have acquitted her. He pledged himself, that he, for one, would use every effort in his power to restore to her majesty those rights and privileges which belonged to her as Queen Consort. He hoped ministers would retrace their steps, and render to her majesty that justice to which she was entitled. This was the only means by which the peace of the country could be restored,

Mr. *Sykes* presented a similar petition from the inhabitants of Kingston-upon-Hull. The hon. member said, he would not, after what had been already said, offer a single observation upon this petition, were it not that those persons who signed such petitions were branded with the charge of radicalism. If this was radicalism, then the greatest portion of the country were radicals. His majesty's ministers had, from the moment they advised the omission of the queen's name in the Liturgy, systematically attacked and insulted her majesty. They had caused an irritation of the public mind, which would exist until her majesty was restored to those rights and privileges which belonged to her exalted station in the country.

Mr. *Lambton* said, he held in his hands a petition from the inhabitants of Stockton, in the county of Durham, most numerously and respectably signed, deprecating the late odious and uncalled for proceedings against her majesty, and praying the interference of that House to have her restored to all her just and constitutional rights. In availing himself of this opportunity for submitting a few observations on the subject, he must remark, in the first place, that it would be more to the honour of the House, and would tend more to sustain its character and dignity, if they were to pay a greater degree of attention to the sentiments and prayers of the people. The present was a time when the House was labouring under the just reproach of but ill representing the sense of the country. He could not easily understand, therefore, with what propriety it could be made matter of charge against any individual member, that he had given expression to the feelings and opinions of his constituents. The petitioners in this instance complained, after professions of their own loyalty and attachment to the constitution, of a class of persons calling themselves exclusive loyalists. (No, no; from a member on the ministerial side of the House.) If the hon. member who thus interrupted him could show that he was stating what was not the fact, he should be ready to confess his error; but if he was accurately describing the contents of this petition, he was not to be deterred by such cries from the open and fearless discharge of his duty. He should, therefore, now repeat, that the petitioners complained of a class of persons arrogating to themselves the merit of exclusive loyalty, and accusing their fellow-countrymen of hostility to the throne, on no other ground than their hostility to his majesty's ministers. Amongst the many amusing exhibitions which characterised the discussion of last night, there was not one more singular than the effort of the noble lord opposite to persuade himself and the House that he and his colleagues possesed the confidence of the people. To the noble lord's assertion he would, without fear of contradiction, reply, that not only nine-tenths, but nineteen-twentieths of the people of the United Kingdom were in avowed and open hostility, not to the sovereign, but to his ministers. The lion of England, it had been said, was roused; but it was rather out of character that the den of the British lion should be found in rotten boroughs, in Scottish counties and close councils. He sincerely trusted that the House would at length feel the necessity of attending to the petitions of the people. The refusal might possibly lead to consequences which all of them might rue. The petition which he held in his hand deprecated the unparaleled persecution to which her majesty had been exposed, and prayed for her restoration to the Liturgy, from which she had been so unjustifiably excluded. In these opinions of the petitioners, he most cordially concurred. He should have the honour on a future occasion, to present a similar petition from the county of Durham.

Lord *Castlereagh* said, he was not aware of any disposition on the part of the House to treat the petitions of any class of his majesty's subjects with indifference or neglect; but the hon. member had attributed to him a speech which it might have been desirable that he should make, but which he nevertheless had not made. All that he recollected to have said on the subject was, that he was not bound to answer any question when he considered that it might be inconvenient to the public service.

Mr. *Lambton* denied that he had put into the noble lord's mouth any sentiments which he had not uttered, or that he had any intention of placing the noble lord in a wrong light before the country. His allusion, in the first instance, was to the noble lord's answer that evening to the observations of his hon. friend the member for Essex. The expression relative to the British lion he did not ascribe to the noble lord; he had met with it in a part of the Press which was very zealous and active in the service of his majesty's ministers.

Mr. *Benett*, of Wiltshire, said, he was intrusted with a petition from the freeholders of the county of Wilts, agreed to at a meeeting very numerously and respectably attended. He mentioned this on account of the circumstance of the petition being subscribed only by the high sheriff and 100 freeholders—a circumstance which was owing entirely to the shortness of the interval between the time at which the meeting was held, and the assembling of parliament. Had this period been of longer duration, the petition would have been signed, by many thousands. It prayed that the House would use its best endeavours to prevent the unfortunate, unconstitutional, and uncalled-for proceedings against the Queen from being revived; and, by procuring the re-insertion of her majesty's name in the Liturgy, to put an end at once to all further agitation of the question. He had been desired to support the prayer of this petition, and he now supported it, not in obedience to the order of his constituents—an obedience to which he did not think himself bound—but from inclination, and because his own opinion fully coincided with theirs. It had, indeed, his most cordial support. He did not know what might be the intentions of his majesty's ministers as to any ulterior proceedings on this subject; but after the abrupt and ungracious manner in which parliament had prorogued at the close of the last session, leaving the Queen in a predicament such as no criminal was ever placed in—that is, after accusation, and trial, to be left in a state neither of acquittal or conviction for six weeks, but in a state almost as anomalous as the trial itself—from all this, it was not unnatural to infer, that some renewal of the odious measure was still in contemplation. Whether the proceeding was to be brought forward in a direct shape, or was only to affect the necessary arrangements for the Queen's establishment, he was at present ignorant. Whatever difference of opinion might prevail with regard to what had been proved against the Queen, he for one denied that any offence had been proved, and maintained that upon every principle of justice, as well as in the eye of the law, she was fully acquitted; but, however men might differ as to that point, all were agreed, that it was high time to put a stop to proceedings which had agitated the public mind in an unheard of manner, and to take the state of the country into serious consideration, with a view of relieving the distresses of a loyal and suffering people. He believed this was the unanimous opinion of the county of Wilts; and a more loyal county there was not in the realm of England. He therefore entreated his majesty's ministers, if they had any respect for public opinion—if they had any feeling for the distresses of the people—if they had any regard for themselves and for their own character, to bring at once this question to a close, and to heal the differences which it had so unhappily created.

Mr. *Tennyson* said, that he had a petition to present from the borough of Great Grimsby, in the county of Lincoln. What had fallen the night before from the noble lord had led, certainly, to an inference in his mind, that it was not the intention of his majesty's government to take any further steps against the Queen. He understood the noble lord to say, that but one proposition would be submitted relative to the Queen, and that this would be on the subject of the income to be provided for her. All he should say, therefore, at present, on this point was, that his majesty's ministers would have better consulted their duty, if, instead of abruptly dismissing parliament, they had, by proposing an immediate provision, and candidly disclaiming any intention to renew the prosecution, rendered the numerous meetings which had since taken place, and the petitions which were now pouring in upon them, unnecessary. This remark, however, he made on the presumption that no further proceedings were meditated; but it was a presumption in which he was strongly fortified by the expression of the noble lord. With respect to the restoration of her majesty's name to the Liturgy, he must observe, that the principle on which he always understood it to have been originally excluded, was the existence of charges, an inquiry into which might afterwards render it necessary to remove it. His majesty's ministers were now reduced to the alternative of allowing that the charges had not been proved, or maintaining that the defence had failed. They had not maintained the latter proposition; and he could not, therefore, conceive what fair objection could be now urged to the insertion of her majesty's name. He should now present the petition, which prayed, that a royal residence might be assigned to the Queen, and that she should be put in possession of all the dignities and privileges of her exalted station.

Mr. *Hume* presented petitions from Perth, Aberdeen, Annan, and Banff, praying for the restoration of her majesty's name to the Liturgy, and that a suitable income and residence might be afforded her. He had no hesitation in stating, that if Scotland had been adequately and fairly represented—if it had the benefit of that reform in the state of the representation, the necessity of which was felt by the whole empire, and which he fondly anticipated, there would not have been a single petition from that class now called the exclusive loyalists of the country.

Mr. *Estcourt* said, he held in his hand a petition signed by 400 persons, inhabitants of Devizes. It complained of the exclusion of her majesty's name from the Liturgy, the corrupt offer which had been made to her to induce her to remain abroad, the refusal of every advantage to enable her to make a full defence, and the production of a mass of false evidence against her. It prayed that the House would adopt measures for restoring her to the full and and unqualified enjoyment of all her rights and privileges, as the only means of averting consequences detrimental to the best interests, and dangerous to the tranquillity of the country.

Mr. *Robert Gordon* observed, that he had anticipated that which had now taken place. The hon. member did indeed present the petition of 400 of the inhabitants of Devizes, but he had not thought proper to say one word in support of it. Although the hon. member and his hon. colleague (Mr. Pearce) were members for the town of Devizes, and therefore had no objection to present this petition; yet, in point of fact, those who subscribed it had no right to look for any support from either of them. In common parlance, the two hon. gentlemen, for whom he personally entertained great respect, were called members for Devizes; but in reality were the representatives only of some twenty or thirty aldermen in that borough. This was a very happy illustration of what had, the night before, fallen from the noble lord (Castlereagh,) as to his hopes of enjoying the confidence of the House and of the country. The confidence of the House, indeed, the noble lord was pretty sure of possessing, just as he was sure of possessing the confidence of the aldermen at Devizes: but was he as secure of the confidence of the people of that town, four hundred of whom had signed the petition? They stated, that they viewed the proceedings of his majesty's ministers with abhorrence and execration; and would the noble lord, therefore, boast that he enjoyed any portion of their confidence. A more complete illustration of the noble lord's popularity, and of the general confidence which was placed in his measures, could not possibly have occured. For his own part, in giving his support to this petition, he might regard himself as much more the representative of Devizes than the hon. member, as many of its inhabitants were freeholders in that part of Wiltshire with which he was connected. He should only add, that he concurred most cordially in all the sentiments contained in the petition.

Mr. *Pearse* said, that, as one of the members for the town of Devizes, he had communicated with some of the petitioners; and when they had desired him to support the prayer of their petition, he had told them frankly, that he had an opinion as well as themselves upon the subject of it, and that he could not give it his support. The 400 persons whom the hon. gentleman had described as of so much consequence at Devizes as fairly to express the general sense entertained there, were not persons of weight or consequence, but had been selected with great pains, and without reference to their qualifications. An address, containing very different sentiments, had been agreed to by those who possessed the intelligence and respectability of the town.

Sir *Francis Burdett* observed, that as an example of the great variety of opinion which existed on this painful subject, they were told, that the view taken by the 400 petitioners differed from that of the mayor, and a few, he believed twelve, aldermen. This was undoubtedly a very fair specimen of the manner in which the people were represented, and their sentiments expressed in that House. He trusted, however, that the country was to be at length tranquillized; and that, by a compliance with the prayer of so many petitions, parliament would find leisure to apply its attention to more important subjects. He was gratified to hear from the noble lord an explanation of what was before somewhat ambiguous, and that ministers no longer contemplated any further hostile proceedings against the Queen. This would undoubtedly prove consolatory to the public; and indeed it seemed to him that, the bill having failed, there was no longer any justifiable ground for withholding any of the privileges which were usually annexed to her majesty's exalted station. It was but a corollary from that failure, that she should be placed in the same situation as she would have occupied, had no charges been preferred, and especially as the bill had so utterly failed—as it had never passed one House, but had been abandoned, as if they were ashamed of it, by its own authors. It was but consonant with those principles of justice which so happily characterised the people of this country, that after the prosecution had broken down—after the prosecutors themselves had in shame retreated from their odious proceeding—no aspersion should be thrown or indignity remain attached to the character of the Queen. Those very persons who arrogated to themselves the designation of exclusively loyal, if they had sense or policy, must feel the necessity of such a course. It was due to the dignity and character of the monarchy. Nothing could be more derogatory to either, than to adopt a line of proceeding which, though incompetent to effect a conviction, uncandidly refused to acquit. The noble lord himself, he should imagine, must regret that the investigation had ever been entered on, and that he had not adopted the advice tendered to him by that House. The treatment which the Queen had received had roused the indignation of every honest mind, and had excited a feeling of disgust which similar conduct would always produce in this country. She had been treated as one neither convicted nor acquitted, but on whom it was wished to affix a stigma. Nothing now would satisfy the public, but that she should enjoy all the rights of Queen Consort.

Lord *Castlereagh* did not rise to make any general observations on what had fallen from the hon. baronet; but lest it might be supposed, from the tone and temper assumed by the hon. baronet, that his majesty's government had altered or abandoned some intention which they might have entertained in the period intervening between the commencement of the proceedings and the giving up of the bill, he could assure the hon. baronet, that no such alteration had taken place.

The bill was withdrawn without any idea of substituting any other proceeding in its place, and ministers continued in the same position of determination.

Mr. *Estcourt* observed, in answer to what had fallen from the hon. baronet, that he was elected, not by 12, but by 36 persons (a laugh.) Undoubtedly, he was elected to represent the borough of Devizes, by that number of individuals; but his apprehension was, that when he was sent to the House of Commons, he was one of the representatives of the whole nation, and was called on to take care, not merely of the interests of his constituents but of the empire at large. A more loyal, independent, or respectable body of men did not exist, than the corporation of Devizes; and the hon. baronet was mistaken if he supposed that any kind of improper inducement was held out to the members of that corporation to influence them to pursue a course contrary to their honest conviction, when the election of members to serve them in parliament took place. It was not true that the corporation of Devizes was biassed by any unworthy feeling; and it was equally untrue, that the members for that borough, when they came into the House of Commons, were influenced by any feeling but an honest desire to promote the good of the empire at large.

Sir *F. Burdett* begged pardon for setting the hon. gentleman right upon one point. He had not said a syllable that in the slightest degree reflected either on him or his constituents. With respect to the question he had put to the noble lord, he did not consider the answer that had been given to it as satisfactory. From what the noble lord said, it appeared that ministers now continued in the "position of determination" which they had formed previously to the commencement of those proceedings. But he conceived it to be very important for the House and the country to know, and to know distinctly, whether they were to consider that no further criminatory proceedings would be resorted to against the queen.

Lord *Castlereagh* said, that when the hon. baronet had before put this question, he expressed himself as if the government were now occupied in considering some proceeding which they had not contemplated previously to the withdrawing of the bill. In answer, he had distinctly stated to the House, that the moment the bill was withdrawn, government ceased to entertain the idea of any further hostile proceeding. It did not, however, follow, that her majesty's name should be restored to the Liturgy.

Mr. *Brougham* said, the noble lord had informed the House, that all proceedings against her majesty had ceased, and that it was not the intention of his majesty's government to institute any further proceedings in the way of trial. Was he to understand, not only that no further trial would be instituted, but that nothing in the nature of punishment would be continued, as if the trial had proceeded and terminated in a conviction?

Lord *Castlereagh* said, that punishment was not to be presumed or supposed, because his majesty was not advised by his ministers to alter that arrangement which his majesty, in council, had thought fitting to have carried into effect before the proceeding was instituted.

Lord *John Russell* begged to call to the recollection of the noble lord the grounds on which, during the last session, the exclusion of her majesty's name from the Liturgy was defended by ministers. Would they, it was asked, place in the Liturgy the name of a person over whom heavy charges were pending, and which name, in the event of guilt being established, they would be bound to erase? If then, such exclusion was continued, he was forced to conclude that ministers took it for granted, that those heavy charges had been substantiated against her majesty.

Dr. *Lushington* rose to present a petition from the inhabitants of Ilchester, in which the petitioners expressed their detestation of the measures that had been adopted towards her majesty, and prayed that a provision suitable to her rank might be afforded her, and that she should be restored to her just rights and immunities. He was in the recollection of the House, and they would be able to judge of the correctness of the statement he was about to make. The noble lord, in answer to a question put to him by a right hon. friend of his, relative to the adjournments that took place during the last session, had said, that the consideration of the question would be postponed to a future day, in order to see whether the proceedings would arrive at such a conclusion, in the House of Lords, as to occasion the measure then in progress to be brought down to this House; and that, if it took a different turn, parliament would meet to make a provision for her majesty. (Lord

Castlereagh expressed his dissent.) The noble lord shook his head, but still he believed that his statement was correct. He was sorry that they were not at once called on to make a provision for her majesty. He lamented, for the sake of the country, that from the course ministers were pursuing, all those questions which had already created so much unpleasant feeling, were likely to be farther discussed; and, in consequence, that disgust which had already been excited, and that spirit which ought if possible, to be softened down, would be extended and encouraged. The petitioners expressed their wish that her majesty's name should be immediately restored to the Liturgy, and that the House would institute an inquiry into the origin of the Milan commission, and bring to punishment all those who had been instrumental in the persecution of her majesty. Would to God he could entertain any rational hope that the House would acquiesce in the prayer of the petition! But he could not expect that, so long as he saw the sentiments of the people opposed to the majority of their representatives, It would be well if they attended to the petitions of the people before the day came—and it might come much sooner than many persons imagined—when a reform would be hastily resorted to, instead of being the result of calm deliberation.

Lord *Castlereagh* observed, that if the learned gentleman meant to say, that he had intimated, that, in the event of the bill not passing the other House of Parliament, the House of Commons should meet for the purpose of granting a provision to her majesty, he must declare that he never said the House should so meet; and that he could not have said so, because he never had any such impression on his mind. He thought the learned gentleman must recollect what passed on that occasion; and if he did, he would find that it did not bear him out in his statement. He had said, that if the bill came down from the other House, he would then enforce the call; but if it did not, he considered that step unnecessary. Now it was evident they could not have proceeded to consider of a provision for the Queen, without entering into all the collateral topics that were connected with the subject; and that could never have been done without an enforcement of the call. The observation of a noble lord on that occasion was, that there would be, in the event of the failure of the bill, two subjects for consideration; one, the provision to be made for the Queen, and the other the conduct of his majesty's ministers. He (Lord C.) however, stated (and such was the understanding of the House) that if the bill did not come down, the House would not meet to consider of the provision necessary for her majesty, or to investigate the conduct of ministers; and he added, that under these circumstances, parliament would be called on at the usual period to decide on a provision for her majesty.

Lord *Folkestone* said, he did not see the force of the reasons which the noble lord had adduced, with respect to what his learned friend had stated to have occurred on a former occasion. The noble lord might assert that he had no intention of stating the proposition that the House was to meet in order to provide for her majesty, and yet he might, unawares, have thrown out such a statement. When it was so strongly stated, as matter of recollection, that the words were used, it was more fair to suppose that something of the kind was said, than that no expression of that description occurred. The noble lord declared his statement to have been, that if the bill did not come down, the call of the House was not to be enforced; but if it did, that then the call would be enforced; and he argued that it would be impossible to discuss the subject of the intended provision, and the other topics connected with it, unless there was a call of the House. But it was very singular that they were now rapidly proceeding towards the consideration of the necessary provision for her majesty, and yet no call of the House had taken place. There was, it was true, a very full attendance of members, and doubtless many good reasons could be assigned for it. Notwithstanding what the noble lord had said, he would state most positively, that the impression on his mind was precisely the same as that which his learned friend appeared to have imbibed. The noble lord had said, that if the bill went on, there should be a call of the House; but if the bill did not proceed, it was consented to, by all parties, that the call should not take place for the purpose of adopting measures respecting the provision for her majesty. Now, he (lord F.) complained, that the call was not enforced for the purpose of considering those other matters to which the noble lord had referred.—He now begged leave to notice an observation which had fallen from the noble lord in the early part of the evening, when, in a manner that appeared most extraordinary, the noble lord had refused to answer a question put to him by the hon. member for Essex, relative to an inquiry into the origin of the Milan commission. The noble lord had said, "Oh, bring your question forward in the shape of a motion, and see how I'll treat it." But, nobody in that House knew better than the noble lord, the difference between a question brought forward by gentlemen on the other side of the House, and one introduced by those who were seated near his honourable friend. His honourable friend urged the necessity of an inquiry, with reasons which appeared to him to be extremely forcible; but, at the same time, he treated the application as a matter of courtesy. For his own part, he conceived that an inquiry ought to be instituted, on the very proposition laid down by the noble lord, who had said, that, if the bill failed, and if it were supposed that a conspiracy had been formed against the Queen, he would be the first and the most zealous in endeavouring to detect its authors. But he now met those who called for inquiry, with various observations on their inconsistency; as if it were inconsistent in those who attempted, in the first instance, to stop proceedings of which they disapproved—to go on with inquiries when those proceedings had ceased, tending to discover their origin. There was no inconsistency in it. He and his friends condemned the whole proceeding as bad. They considered it cruel and unjust. It was, he might say, an attack on hereditary monarchy—an attack on those principles on which hereditary monarchy was founded; and he was sorry that the different adjournments prevented such measures from being taken as would have put a stop to it much sooner. Every day that he considered this measure, he saw more and more the necessity that existed of putting an end to it at an earlier period. But the noble lord would not put a stop to it; and when he had poured forth a mass of filth and obscenity from the green bag, he turned round, and told those who had all along deprecated the measure, that they had no right to call for inquiry. When almost every man in the country felt that foul practices had qeen adopted to injure the Queen, was it not incumbent on ministers, for their own honour—was it not incumbent on the noble lord, out of regard for his own character as a promoter and supporter of those offensive measures—measures which had broken down under him and utterly failed—to institute an immediate inquiry? He should have thought, that the noble lord would have found it perfectly consistent with his honour and character to inquire into the origin of those measures; but certain he was, that there was no inconsistency in the conduct of those who had, from the beginning, opposed those proceedings, in now demanding that they should be probed to the bottom.

Dr. *Lushington* felt a strong conviction of his own correctness. He might be mistaken; but he hoped when the noble lord next made any statement on a subject of so important a nature, both to his majesty's government and the country, he would express himself in plain and intelligible language. This would be extremely convenient to honourable members, many of whom had come out of the country, entertaining precisely the same opinion that he did.

Sir *T. Acland* presented two petitions, condemning the conduct of ministers in the proceedings against the Queen, and praying, that her name might forthwith be restored to the Liturgy. One of them was from the inhabitants of Axminster; the other from the inhabitants of Colyton.

Mr. Alderman *Heygate* rose, to present a similar petition from the inhabitants of the borough of Sudbury. He observed, that it prayed, that her majesty might be restored to the enjoyment of all her lawful rights and privileges; and, what was not common in these days, the language in which it was couched was not only respectful to both Houses of parliament, but also to the sovereign. He wished to take that opportunity of expressing his opinion on the subject of the petition, which his constituents had called upon him to support. This was a time when every man who valued the constitution should speak out. No man could deplore more than he did, the introduction of the bill of Pains and Penalties; and he deplored it because he firmly believed that it was not justified by any state necessity, nor could tend to any good purpose. He could not but congratulate the House and the country on the declaration of the noble lord opposite, that there would be no further proceedings instituted against her majesty. He was one of those who de-p'ored the original omission of the Queen's name in the Liturgy, because he foresaw that it would be productive of many evils; and because it gave the best opportunity to those who cared nothing for the Liturgy, to revile the sovereign, and to abuse and embarrass the government of the country [hear, hear! from the ministerial benches]. But it was one thing to regret the original omission, and another to vote for an address to the sovereign, to request the insertion of her majesty's name in the Liturgy. This subject was not to be decided by the Queen's guilt or innocence alone as to the charges preferred against her. There was another very important consideration; the line of political conduct which her majesty had chosen to pursue since her return to this country, and which was not more unbecoming her dignity, than it was at variance with the counsels of her sound and legitimate advisers. This line of conduct she had persevered in during the last four months; yet, on her first coming to this country, and when the proceedings against her had just commenced, she declared, that she would not mix her cause—the vindication of her character and honour; yes, she said she would not mix up that cause with the views of any political party whatever. Unfortunately, her majesty did not persist in that determination many days; she soon put her name to a letter addressed to her sovereign and husband; yes, to her husband; and he spoke as he was sure every man would speak, who felt for the character of his country; this letter contained sentiments, which, addressed to a private gentleman, would have been considered disrespectful in the extreme; but, when applied to the sovereign, became little less than what, in any other person, must have been visited with the punishment of the law. This letter was followed by a long series of attacks on the authority of both Houses of parliament; and they were gravely told, if the bill passed both Houses, and became a law, it would be a matter of doubt how far the people would be bound to obey it. Incitements were also held out to the military, who were paid by that House, to interfere with the administration of justice. If the individuals who signed these petitions forgot these things, he, for one, was not prepared to forget them. He could not sit in silence, at such a moment, when the constitution was in danger; and it became the House of Commons to reflect seriously before they paid honour and respect to an individual, however illustrious, and however unfortunate, who had been a party to those proceedings. He was willing to make great allowance for her majesty. It might have been supposed, that the foreign education of the Queen, and her imperfect knowledge of the language might have led her to have allowed sentiments to go abroad of a dangerous nature, without knowing the full extent of them; or that her feelings might on some occasions have made her intention appear worse than it really was. For those things he would be willing to make all due allowance, and if the mischief of which he complained had happened only once or twice, he should not have taken notice of it. But when it was not once or twice, but repeatedly, that those insults were offered to the state and to the sovereign, when they were renewed at every opportunity, and were to be met perpetually in every newspaper which contained her answers to addresses; and that after repeated remonstrances from her best advisers, he could not but think that something serious was intended by the persons by whom she was surrounded. But, if nothing further was intended, and nothing, he knew, was more contrary to the advice which she received from her legal advisers, whose good sense, judgment, and real patriotism, made them aware of the evil that her cause must sustain from such proceedings, while the triumphant exertions of their talent bore it up even against those disadvantages, yet he must repeat, if nothing further was intended, parliament ought still to consider, that should they carry up an address to the throne in favour of a person who had so conducted herself, it would appear as if they acted upon a recognition of the propriety of such conduct. These were his unbiassed sentiments. He had never courted ministers on the one side, nor popular opinion on the other; and however they might be received, he never would be afraid to speak his sentiments. He hoped the moment would soon arrive when the memory of all those unhappy proceedings would be buried in complete oblivion. He trusted that the time would soon come when this question would altogether disappear, and the permanent and great interests of the country would occupy the attention of parliament, that we might be no longer the ridicule of foreign nations. We had already suffered from this question in many respects, and he trusted it would not long continue to interrupt the proper business of the legislature and distract the community.

Mr. *Hume* said, he was extremely sorry the hon. member had made a sort of general charge of treason—for he thought it was no less—against the Queen, for having uttered the sentiments contained in the letter to his majesty. He wished the hon. member had confined himself to a statement of specific facts, and particular circumstances. He held that letter in his hand, and he called on the hon. member to point out any one passage that could justify the assertion he had advanced, much less that could warrant him in directing such an attack on an individual who was not, and who could not, be present to defend herself. The hon. member's conduct, in this instance, was like that of ministers on all occasions. The proceeding he had adopted was most ungenerous, most unmanly, most unfair; and in the face of the House, he protested against it. Why should the hon. member pursue the plan of the noble lord opposite, and endeavour, by a side-wind, to do that which he could not effect in a direct manner? If he wished to censure her majesty, or any of her advisers, he would have an opportunity of doing it plainly and openly; but the mode which he had been pleased to adopt was most unfair. He was as much disposed to support the authority of that House and the dignity of the throne as any man, but yet he would say, that no sentiment contained in the letter of the 7th of August, to which the Queen had put her name, appeared to his feeling to be at all improper [Hear, hear! from the ministerial benches]. Those who could lay their hands upon their hearts and applaud themselves for the conduct they had observed towards a deserted and defenceless woman, were of course extremely glad to receive any little assistance which gentlemen at either side of the House might be inclined to bestow on them. Therefore it was, that they so loudly cheered the hon. member who had just sat down; and the present cheers, though conveying a different meaning, formed a part of the same system. But let those who condemned the Queen place themselves in the situation in which she stood when that letter was written. Was there a man in that House so mean, so dastardly, as to trample on an unprotected, a defenceless woman? Sorry he was to say, the ministers had done so. They had endeavoured to trample her to the dust by the basest and most infamous means. He used the word "infamous" in its strongest meaning—he used it in the broadest sense the English language could possibly affix to it. The people could now judge of the means to which her majesty's persecutors had had recourse. The proceedings in the House of Lords were in their hands; and all the country must perceive, what he, in his conscience believed, that, from the beginning to the end, the whole of the measures adopted against her majesty were most base and infamous. What was the situation of this illustrious but unfortunate woman? To what situation was she to come? The worthy alderman admitted, that it was highly improper and highly wrong to strike the Queen's name out of the Liturgy; and yet, though he made this admission, he said he could not call for its restoration to the place from which it had been so unjustifiably withdrawn—thus adding injury to wrong and perpetuating injustice. The avowal of such a doctrine was most disgraceful. Let the noble lord opposite, who had cheered the worthy alderman, in the course of his observations, reflect, if ever reflection met him, when he laid down his head upon his pillow. [A laugh from the ministerial benches, and cries of "Hear!" from the opposite side.] He could expect nothing else than that laugh from the gentlemen opposite—he could expect nothing else from those whose public and private sentiments were devoted to the cause of ministers, and who sacrificed every thing at the shrine of power.—But he would call upon the House to recollect the situation in which the Queen was placed on the eve of her return to this country: to understand and fairly appreciate her majesty's conduct, it was necessary to refer back to the situation in which she had been placed by his majesty's ministers. As Queen Consort upon the demise of the late king, she was entitled as such to the same respect on account of her rank as the king was by virtue of his. If royalty were to be supported, there could be no distinction between the two. The law conferred particular rank on each, and by the same right, both the one and the other were entitled to it. If his majesty were *de facto* King, why was not her majesty to be considered *de facto* Queen Consort? Was it not the duty of the king's ministers to pay her the respect to which, from her situation, she was entitled; and to take care that she should suffer no improper indignity? But what did they do? When her majesty was about to return to this country, she applied to lord Liverpool to provide a suitable residence for her; she also applied to lord Melville for a proper vessel to convey her across the Channel. The former returned no answer, and the latter transmitted a refusal—that is, a refusal to pay the Queen of England that respect in the mode of conveyance which was allotted to every petty German prince who visited this country. Was that justifiable treatment? Was it becoming, or decent, or proper? England had been disgraced in the eyes of Europe by such a transaction. He repeated, that by it, England had been disgraced, through the misconduct of his majesty's ministers. [Hear, hear.] The whole proceeding adopted towards her majesty carried with it ignominy, and unfortunately the country must share a portion of it with its government. Was it not enough, that her majesty should have been refused a house? Was it not enough, that she should have been refused a ship to carrry her to the British shore? Was not all this neglect monstrous enough, without the omission of her name from the Liturgy? Ministers ought to have felt the shame of compelling the queen to accept the assistance of an honest and humble individual of the city of London. What was the Queen to do upon finding herself in this destitute and insulted situation, and with such charges preparing against her? She knew that the green bags were planned against her. She saw that she was about to be brought before a tribunal upon the construction of which he would call upon the hon. alderman to avow his opinion. Was it, he would ask him, a tribunal which met the sanction of the country? Was it not, under all the circumstances of the case, contrary to the best principles of law? Under such circumstances, was it not natural for her majesty to feel indignant? Was she then to be blamed by the hon. alderman for writing a letter to her lord and protector, whom she thought she had reason to apprehend, at the time, was countenancing the machinations of her enemies? But, what did she say in that letter of the 7th of August? She protested against her persecutors being among her jurors. Was that an unfair protest? When, therefore, the complaint was just and the indignation natural, it was unmanly for the hon. alderman to complain of her majesty's protest against a court so composed, and which he admitted to have been improper. The hon. alderman admitted this, and yet blamed and deprecated the letter, without pointing out a single passage which was not called for upon the occasion. The Queen wrote that letter when she made the last effort to induce her sovereign to protect her. If that protection to which she was entitled had been then afforded, that letter would have never met the public eye. See the situation in which the Queen would have been placed, had she not made a last effort to spare the country the pain of these calamitous proceedings! She had already used every means in her power to prevent the sort of trial which she saw approaching, and the consequent mischiefs which that trial must entail upon the country. So far from incurring any blame for having made the attempt, he thought the act was creditable to her majesty; and that opinion he entertained with the great bulk of the community; for there was not one in a hundred who was not of the same opinion. He held the Queen's letter in his hand; and he again called upon the hon. alderman to point out any passage it contained which justified his observation. Was it where the Queen said, "I have always demanded a fair trial," that he thought her incorrect? Was she not entitled to a fair trial? Was she not entitled to have that claim for justice granted by her sovereign and husband? He saw not one word in that letter which was not called for by the occasion; and he challenged the hon. alderman to refute his assertion, by pointing out an objectionable passage.

Mr. Alderman *Heygate* claimed the indulgence of the House while he vindicated himself from the attack of the hon. gentleman. He was perfectly surprised at the manner in which his observations had been met. Any body who had heard them and had not heard his own observations, would naturally have thought that he had defended the bill of Pains and Penalties, and justified the original rejection of the Queen's name from the Liturgy. Equally surprised was he to hear a charge of having made an unmanly attack upon an unfortunate and illustrious woman. Whatever else he might have done, the term "unmanly" could have no reference to him. He had not slunk into any hole or corner to deliver his sentiments—he had not shrunk from the public eye to utter them; but had openly, before the country, and in his place in parliament, endeavoured to state his own opinions and justify them to that House and to his constituents. The hon. gentleman had asked, whether he approved of the mode of trial appointed for the Queen. To this he answered—No; and if the bill of Pains and Penalties had unfortunately come down to that House, there was no human being in or out of it who would have shown a more decided opposition to it through all its stages. But, objecting to it, as he did most decidedly to that bill, he was obliged to condemn also the language into which the Queen had been betrayed by her advisers. The hon. gentleman had called upon him to produce the objectionable passages. Not having that letter about him, he could not produce it; but he would appeal to the recollection of the House, whether such an expression as this ought to be tolerated in an appeal to the sovereign:—"Your court (and this speaking to the king) is a scene of low debauchery." Was that fit language? But he did not complain alone of the language used in that letter. It had been said by one of her majesty's friends, when speaking of the bill:—"This bill darkens the perspective in the future, lowering the prospect into civil war." There were similar expressions, equally censurable, in many of the answers which her majesty had unfortunately been advised to transmit. He particularly alluded to the answers to the artisans, to Nottingham, to Cripplegate, &c. The following were paragraphs from some among them; and it was for the hon. gentleman to say if he thought them proper or not:—"These are times when the well-understood interest of armies can never be separated from the interests of the people."—"The slave of his appetite only cankers for his fatuity."—The answer to the Cripplegate address called the government of the country "an insolent domination."—In her majesty's letter of the 7th of August (although, not having the letter near him at the moment, he could only quote from recollection,) there was a declaration that the Queen would not submit, except compelled by actual force, to any sentence, except one pronounced by a legal court of justice. The answer to the Cripplegate address contained the following paragraph:—"If such a bill should pass, it may perhaps hereafter be proposed to the people of England how far it may be obeyed." In the answer to the artisans there was this expression—"Owing to the hard-hearted conduct of your oppressors, you cannot earn by the sweat of your brow what will prevent your watering your pillow with your tears." And then that "hereafter their sufferings would only appear like a troubled dream." Were such phrases, so applied, proper or becoming? But he need not dwell upon them for his justification, for he should rest that upon the concurring opinion of a noble earl (Grey,) distinguished for his eloquence and talents, whose speech he did not know whether it would be competent for him, in point of order, to refer to. [Order.] Finding that it would be irregular to quote it, he should throw himself on the candour of the House for a fair and just interpretation of the sentiments which had brought down upon him the attack of the hon. member. If the extracts which he had quoted could be considered fair or proper, then he should confess he was in error in alluding to the improper advice under which he feared her majesty had acted. He meant merely to state his own opinions openly and fairly; and certainly the last thing he contemplated was, to take any advantage of the situation of an unfortunate and illustrious lady, which he lamented as much as any man, though he could not see how parliament could remedy the evil in the manner pointed out.

Mr. *Lockhart* said, he felt extreme reluctance in coming forward on this occasion. He cordially agreed in the wish expressed by an hon. member early in the evening, that something might be done which would bury in oblivion this unfortunate question. The hon. alderman appeared to concur in this wish; but he was sorry to find that the expression of his sentiments was rather at variance with the promotion of that salutary conclusion which was on so many accounts desirable. The hon. alderman had read to the House several objectionable passages which her majesty had been so ill advised as to insert in her answers to addresses. It was, he feared, but too true that much objectionable matter would be found on both sides. This was remarkable throughout the whole of the late unfortunate proceeding. Evidence had been published, and comments made upon it, from day to day, which were calculated to impair the dignity of any court of justice, and to violate that respect which was due to the highest tribunal in the land. This objectionable conduct was not, however, confined to one side of the question; it pervaded both, and was alike censurable. He had seen sentiments put into her majesty's mouth, by her irresponsible, not her legal advisers, which he deplored as much as any man, and which he attributed to improper advice acting upon highly irritated feelings. If the House of Lords witnessed these proceedings from day to day, and could apply no remedy to them; if the highest court of judicature in the kingdom, with the Attorney-General, were doomed to witness these libels, without exercising any power to restrain their circulation, how could that House in future prevent them? If a system of irritation were unhappily continued—if the Queen were to be suffered to continue in her present situation, where was the force or the energy to suppress that which hitherto had been openly promulgated? It was for the purpose of stopping the continuance of an agitation which he deplored, that he expressed an ardent hope that all proceedings against the Queen, whether in the nature of acts, or in the nature of omission, should be finally set at rest. The noble lord opposite seemed disposed to take no step for restoring the Queen's name to the Liturgy, and the hon. alderman appeared to concur in the opinion. The noble lord, however, deprecated the assumption, that the omission of the Queen's name in the Liturgy should be considered as a punishment. On the contrary, he denied it was a punishment, but that it had been done in the ordinary course of an arrangement in council. Now the error, he thought, was in the assumption, that the omission was not a punishment. It could be considered in no other light than as a punishment, inflicted for a crime which was not proved, and for a prosecution which was abandoned. It was either that or a gratuitous personal degradation;—one or the other it must be. Was it thought that ministers could satisfy the public mind by such a course? Pecuniary arrangements the Queen was to have; but were they calculated to promote a tranquil end? Ministers had already tried pecuniary measures; but, instead of being an anodyne, they rather acted as a stimulus. They had had no tendency to tranquillize the minds either of her majesty or the public. The attempt having failed, a different effort should be made to set the matter at rest for ever. The Queen's name had unfortunately been omitted in the Liturgy. She was placed, then, in the situation of a person deemed guilty, notwithstanding the accusation had been abandoned. Her majesty's name was thus placed in a situation of painful suspicion to every religious person in the community, on that day when all party feeling should be laid aside, in the common supplication of the God they all adored. So that it was impossible but the omission of the Queen's name in the Liturgy must operate as a degradation. Those who thought her majesty guilty, had, in this manner, an opportunity of gratifying their feelings; although the result of the trial did not justify that sentiment; while those who thought the Queen innocent, and those who thought her not proved guilty, had a right to complain of the degradation inflicted. This being the consequence arising out of her majesty's present position, in what situation was she placed? Her circumstances were to be enriched, but her character was to remain disparaged; and with a disparaged character she might hold a court! Ministers were to give her wealth, which to a certain extent was power and command, but with a depreciated character it was to be used indifferently. How could her majesty, placed in this situation, summon about her those constitutional advisers of rank and character who would dignify the establishment of a Queen? Was not this course calculated to consign her majesty into the hands of evil advisers, who would care little for her rank and character, and only care about producing all that mischief which ministers themselves seemed to reprobate. If the Queen were put into a situation of innocence—and she was entitled to be called innocent since no charge had been proved against her—she would then be entitled to hold her proper station in society; to summon about her person those who, having high station and character themselves, would only advise her for her good, and assist in rendering her the ornament of her rank. That was the fair and just course which ministers ought to pursue, instead of throwing the Queen into the hands of irresponsible advisers, who would rake together, as was done in the answers to the addresses, all the nonsense of the French Revolution, calculated to inflame rather than heal popular discontent. He earnestly hoped ministers would not take this course, but that by placing her majesty in the possession of an untouched character, they would give her the advantage of the counsels of her legal advisers, and prevent those irritable consequences which a different policy must necessarily engender. The country would never be satisfied until this healing policy was adopted. It would not endure, that the attention of parliament should be for months drawn away from the consideration of the pressing difficulties of the different classes of the community; they would not endure, that parliament should, week after week, be wholly occupied in debating points of trifling punctilio with ministers, when the mighty interests of the country ought to have their undivided consideration. The agricultural interests of the country were left untouched; although he knew part of the evil might be remedied, for it was produced by the laws. He had hitherto in general supported ministers—he had supported them throughout the war, which by their wisdom, fortitude, and perseverance, they had brought to so triumphant a conclusion. For their political conduct, at the period to which he alluded, their names would stand high in history; but he doubted whether they understood the arts of peace as well as those of war. He concluded by earnestly calling upon them to restore her majesty's name to the Liturgy, in fact to recede *in toto* from the course they had hitherto pursued towards the Queen; and, by so doing, put an end to a controversy so useless in itself, and so fatal to the best interests of the country.

Lord *Nugent* begged to say a word on what had fallen from the honourable alderman, in the elaborate vindication which he had entered into of himself, as to what he had been charged with having said in his original speech. In the hon. alderman's first speech, he had thought fit to charge her majesty with having been guilty of a crime in her letter to the king, for which any other subject would have been amenable to the law. When, however, the hon. alderman was called upon to point out the passages in which that charge was founded, he failed to produce them, and professed, that he had forgotten them. He now again called upon him either to produce them or to remember them.

Mr. Alderman *Heygate* explained, that what he had said was this—that not having the letter by him at the moment, he could not quote the passages he alluded to with accuracy from recollection.

Lord *Nugent*, in continuation, contended that the hon. alderman could not be surprised at being charged with unmanliness, when he came forward with charges against the Queen, founded on a document, which, when he was called upon to produce, he said he had not in his possession, and the contents of which he had forgotten. Instead of producing the passages in the letter on which he had founded his charge, the hon. alderman had quoted certain passages from answers which had been given by her majesty to the addresses presented to her. He would be the last man to say, that many of those answers were not highly improper, or that they did not reflect great disgrace on those by whom her majesty had been advised to present them. At the same time, the unfortunate and anomalous situation of her majesty—the persecution she had suffered—the obloquy that had been heaped upon her by a venal press, all these were circumstances which ought to be taken into account, in estimating the course which she had pursued. It was, in his opinion, not very manly, harshly to condemn her majesty under such circumstances. It was too much like the conduct of those Spanish Inquisitors, who, having stretched their victim on the rack, converted the ravings of pain into additional matter of accusation. This mode of conduct he could not think manly or English. Undoubtedly, he thought with the hon. alderman, that many passages in the answers of her majesty to the addresses that had been presented to her were extremely reprehensible, and that they reflected great disgrace on the good sense and education of those who had advised her majesty to make them. But this he would say, that ill as he thought of those who had advised her majesty to make those answers, he thought the blame which those persons had justly incurred, vanished into air, compared with the blame to which those persons were liable who had advised his majesty to give the answers which he had given, to addresses from certain bodies of the people. The hon. alderman must recollect some of these; and especially one to an address which the hon. alderman, among others, was charged to present—an address from the metropolis of his majesty's empire. His majesty's answer to that address was calculated to produce mischief; in comparison to which, all that could be dreaded from any of her majesty's answers sunk into insignificance.

The several petitions were laid on the table and ordered to be printed.

Address on the King's Speech at the Opening of the Session.]—Mr. G. Bankes appeared at the bar, with the report of the Address on the king's Speech. On the motion that it be brought up,

The Hon. *William Lamb* observed, that with respect to most of the topics to which the address referred, there would be various opportunities of discussing them. There was one, however, of so urgent a nature, and on which a step might suddenly be taken, so irremediable as to place it entirely out of the power of that House, that he felt it to be impossible, consistently with his sense of duty, to allow it to pass without a few observations. That topic was the present state of the affairs of Naples, and of the conferences with reference to that state, which were supposed to be going on among the great sovereigns of Europe. He knew, that in touching on this subject, he was touching on a delicate matter, because it was one which might be considered in a course of negociation, and he should therefore treat it accordingly. He certainly was not one of those who were of opinion, that no circumstances could occur in any country affecting its internal condition and the principles on which its government was to be carried on, which would justify the interference of any foreign power. At the same time he must say, that from all he had heard of the transactions in Naples, and of the principles on which those transactions had been founded, there was not a shadow of ground or reason justifying the interference of foreign powers on that occasion. There had been no violent acts committed; there had been no doctrines avowed dangerous to the peace of the neighbouring nations, or subversive of the first principles of civilized society. But, what he particularly rose for was, to make a remark or two on the statement in the Speech from the throne, and in the speech of the noble lord opposite on this interesting subject. As far as he could understand those statements, they professed the observance of a strict neutrality by the British government, as well as an anxious wish for the general preservation of tranquillity in Europe; and, if that should prove impossible, for at least securing the continuance of peace as far as this country was concerned. It was to the principle of non-interference on the part of this country, thus distinctly asserted, that he objected. What had been the consequences of a similar principle when the partition of Poland took place? Were they peace and tranquillity? No. The consequence, on that occasion, of that principle of non-interference, on the part of this country, with the designs of foreign potentates, had been the long and inveterate wars in which Europe had since been involved, and which had left this country and the continent in the state of distress in which they now found themselves. Such had been the disastrous result of our declining, on that occasion, to co-operate with France in interfering to prevent the iniquitous project then contemplated from being carried into effect. What he wished particularly to impress on the minds of the noble lord and his colleagues was, that if hostilities were once to commence in any part of Europe, no man could tell how far they might extend; and to urge them to such an interference with respect to Naples as might prevent any such calamity. By such a wise and timely interference, the peace and tranquillity of this country would stand a much better chance of being effectually secured, than by the indulgence of any fallacious hope, that if hostilities were once commenced in any quarter whatever, we might be able to keep this country from being compelled to enter into the contest.

Lord *Castlereagh* observed, that as it was impossible to dispatch a subject so interesting and important in a few sentences, it would, in his opinion, be more expedient to postpone its consideration until an opportunity should be afforded for discussing it in parliament in the ample manner which it deserved. The general reasoning of the hon. gentleman was undoubtedly fair, but it did not appear to him to be strictly applicable to the line of policy which this country was, in the present instance, called upon to adopt. He begged not to be understood as giving any opinion upon the present subject; but it must be evident to the hon. gentleman, and to the House, that other powers might entertain apprehensions with respect to their own security, on which subject they might have opportunities of judging, which this country could not possess, and on which it would have no right to interpose. He repeated, that he begged not to be understood as giving any opinion on that question in the present instance; but he was quite sure, from what had fallen from an hon. gentleman of so enlarged a mind, and whose candid mode of discharging his parliamentary duty did him so much honour, that he could not be at all acquainted with the *data* on which alone any observations on the present state of affairs in Naples could justly be founded. The circumstances of the recent transaction in that kingdom were certainly most interesting and important. The hon. gentleman, however, seemed to have run away with an assumption of facts relative to the internal condition of Naples, wholly different from those which had been represented to him (lord C.) or those which had attended the transactions in question.

Mr. *Warre* remarked, that the noble lord had now repeated those observations which he had made in his speech yesterday, and which were strongly calculated to arrest attention and to excite alarm. He would take the opportunity, before he sat down, of asking the noble lord a question on the subject of Naples, to which the noble lord would of course give or withhold an answer, as he should think proper. A great deal of what had fallen from the hon. gentleman near him, appeared to him to be extremely worthy of the noble lord's consideration. It was with great regret he heard the noble lord hold it out as a probability, that any consideration of safety to the Austrian dominions, as that subject might be viewed by the Austrian government, might justly operate to render the gallant, noble, and justifiable effort of the Neapolitan people to assert their independence, the means of exposing them to the aggressions of foreign powers. With respect to the question that he wished to ask the noble lord, he felt himself especially justified in putting it; because some of his majesty's ships of war had been employed on a service connected and interwoven with the recent transactions in the kingdom of Naples: he meant in transporting the king of Naples to Leghorn. He therefore begged to ask the noble lord if he could foresee the probable time when he would be able to furnish the House with information, either in the shape of documents or otherwise, on this most interesting and important subject; on the result of which, perhaps, depended the peace and tranquillity of Europe; and of no country more than England?

Lord *Castlereagh* professed himself unable to give any precise answer to the question of the hon. gentleman. It could not be expected of any member of his majesty's government, in the discharge of his public duty, to communicate any of the circumstances that might have reached him on such an occasion; while the transaction to which those circumstances related was still pending. If the hon. member would, at a subsequent period, move for any information which he might wish for as to the course pursued by this country in the transaction, there could be no difficulty in producing it; but he would himself see, that any communication respecting the larger European question would be attended with more difficulty. This, however, he had no hesitation in distinctly declaring, that the course which had been pursued by this country on the subject, in no way rendered it a party to the proceedings, whatever they might be of the three great powers assembled at Laybach. Although there had certainly been no difficulty on the part of the English admiral on the station, to afford the king of Naples every possible facility for his voyage from Naples to Leghorn—yet it ought not to be inferred from that interference, that England had any participation either in the invitation of his majesty, the king of Naples, to Laybach, or in any other part of the policy of the three great powers on the subject. It was unquestionably a matter of great delicacy, and one on which he could not be called on prematurely, to disclose the policy by which the powers in question were actuated.

Sir *Robert Wilson* said, he had been given to understand that a Neapolitan of high rank and character had been sent to the English court by the constitutional government recently established in Naples; but that having tendered his credentials, he was, though received with the noble lord's usual urbanity, not recognised in his character of envoy; on the ground that it was impossible for the British government to recognise any act of the new government at Naples, until the allied powers had come to some decision on the negociation then carrying on at Troppau, and since at Laybach. On that ground, after remaining three weeks here, he understood that the individual in question had returned to the continent. If that was really the fact, it mattered little what hope of the preservation of peace might be expressed in his majesty's or in the ministers' speech; for here was a direct overt act of hostility against the Neapolitan government. What must be the consequence, when intelligence reached Naples, that the Neapolitan ambassador had not been received? Would it not introduce distrust, and weaken the councils of the constitutional government happily established at Naples? Would it not encourage the anti-constitutional faction? Would it not operate disadvantageously towards liberty, and would it not operate to aid and abet the tyrannous conduct of those sovereigns, who seemed determined to be as oppressive and insolent in prosperity, as they had been servile and abject in adversity; whose present measures tended not merely to the destruction of Neapolitan liberty, but to the general demoralization and debasement of mankind; and who seemed to have commenced a violent crusade against all the duties of humanity and all the principles of civilization? The noble lord, and a colleague of the noble lord, in the other House of parliament, when questioned on the subject of any pledge of this country to interfere with the establishment of the constitutional government in Spain, had expressly declared that the British government had entered into no treaty or engagement for that purpose. It was a constitution similar to that of Spain which the Neapolitans had adopted. They had only asked their Sovereign to give them that constitution which he promised them on the 1st of May, 1815. Their object was, to convert arbitrary power into constitutional authority; to get rid of a government supported alone by corruption; to relieve themselves from intolerable and unaccounted taxation; and to destroy superstition, and that general ignorance which he had heard advocated in that House as the best security for the allegiance and fidelity of a people! Such were the requests of the Neapolitans; and finding that it was their general wish, the king had acted as the father of his people, and acceded to them. In doing so, ought he not to be considered as acting as an independent sovereign? In sending back, however, the minister whom he had deputed to us, we had committed an act of hostility towards the Neapolitan people, which, if they were as powerful as they were brave, they would not fail instantly to resent. It was the more ignoble on the part of the British government, that the act was directed against a nation too feeble to express its sense of the injury. He knew the noble lord would say, that a Neapolitan minister was at present resident in London; but he resided here only because the existing government of Naples were desirous, that if the minister whom they had accredited to the court of London should not be received, all intercourse with that court should not be therefore suspended. In this he confessed he thought they acted unwisely; because he thought that they would have done much better boldly to assert all their rights as an independent nation; and if they must perish, at least to perish without the slightest compromise of their dignity and their honour.

Lord *Castlereagh* declared his impossibility of entering into all the details of this subject, even were he prepared himself to feel all the animation with which the gallant general appeared invariably to contemplate every possible species of revolution. He denied, however, that a reluctance to acknowledge a revolution suddenly effected in any country was a just ground of hostility. Without entering into particulars, he would merely observe, that the English government were required to recognise new forms and changes, suddenly brought about under very mysterious circumstances, and principally by one sect. It seemed tolerably evident, that the object of that sect was not confined to Naples, but extended itself to the subversion of all the existing governments in Italy, and the union of the whole into one state. He by no means wished to declare, that such a plan demanded, or would justify, the interference of neighbouring powers. That must be a subject of much deliberation and investigation on the part of those powers, and it was a problem which, he trusted, we should not undertake to solve. He positively denied, however, that we had done any thing which the Neapolitan government were justified in considering as an act of hostility: and he could assure the gallant general that we had not done any thing which the Neapolitan government so considered. The intercourse between the two countries continued on the same footing as before the late changes. The ministers at both courts communicated as usual, and carried on the ordinary routine of diplomatic intercourse. But he protested against the principle, that the British government were bound to rush forward and acknowledge every change that might be made in a foreign government without the least deliberation as to its nature. On the contrary, the British government had distinctly declared, that it could not instantly consent to a technical and formal recognition of a state of things which required much deliberation to estimate. What the gallant general had said of his (Lord C.'s) former explanation respecting the principle of the conduct of the British government towards that of Spain, was perfectly correct, although at the time alluded to, the gallant general was inclined to push the assumption that the British government was a party to the declaration of the allied sovereigns, which it was not. All that he now wished to press on the House was, that while they held the government of this country, strictly to account for the engagements which they made with other powers, they would not interfere too frequently in the policy of other powers. Those powers were as much entitled to act independently with reference to any point in which they considered their own interests involved as this country would be under similar circumstances.

Sir *R. Wilson* wished to ask the noble lord, whether the non-recognition of the new Neapolitan minister was accompanied by any circumstances hostile to the new constitutional government of Naples?

Lord *Castlereagh*—Certainly not.

Mr. *James* adverted to the Austrian loan, and requested to know if there was any prospect of its being repaid.

Lord *Castlereagh* replied, that in the early period after the contraction of that loan, there had been some payments upon it; but for a long course of years no payment had taken place; and although some communications had recently been interchanged on the subject, they were not of a nature to hold out any great prospect of a speedy repayment.

Mr. *James* then gave notice, that he would shortly submit to the House a motion for papers explanatory of the subject.

Sir *Robert Heron* was sure the question of Naples would not be treated as one of delicacy by Austria. If that House exhibited so much delicacy upon it, Naples might be over-run and annihilated before any beneficial interference could be interposed. Our ancestors would not have shewn much delicacy under such circumstances. They would have instantly sent a fleet and an army to assist their ancient allies in the establishment of their liberties. It was well known by every English gentleman who had travelled on the continent, that the conduct of the government of Austria was so execrable in Italy, that any thing like freedom or independence was utterly incompatible with the continuance of its power. What was the fact? Ministers had by their measures brought this country into such a state, that it was impossible we could enter upon a new war without immediate destruction to our finances. Were it not for that, there was no English heart that would not anxiously wish that this country should vigorously interfere to put down this new system of diplomacy, and counteract the designs of the three holy and royal inquisitors; who took upon themselves to sit in judgment on what they were pleased to consider the crimes of independent nations. Happy result of that most happy piece of royal blasphemy—the holy alliance!

Mr. *Hume*, although he rather differed from his hon. friend on the question of the propriety of interference on the part of this country, thought that we ought to take every opportunity of showing our good will towards the Neapolitans. It had been stated to him, that an application had been made to our government, to know if permission would be granted to export to Naples a supply of arms, for the manufacture of which a commission had been received in this country. If such an application had been made and refused, it would show, that our government favoured the objects of Austria, Russia, and Prussia, rather than the struggle of the Neapolitans for independence. He should be very sorry if such a disposition had manifested itself and he requested to know how the fact stood.

Mr. *F. Robinson* replied, that as the law at present stood, there was no obstacle to the export of arms to any part of Europe—except Spain. Power was given by law to prohibit the export of arms by an order in council; but that power had been exercised only with reference to Spain. The export of arms to Naples was therefore perfectly free.

Mr. *Hume* observed, that that was no answer to his question. Had any such application as that which he had described been made?

Lord *Castlereagh* said, that he had not heard of any such application.

with respect to her majesty. The petition, however, did not complain of any of those blasphemous and seditious publications which had made so prominent a part in addresses of a different stamp, and which would have been most readily condemned by the petitioners had the state of things in the county been such as to require any censure of that kind. He had taken some pains to know the state of the county in which he resided, and he could confidently say, that at no time had the conduct of the inhabitants been more orderly and religious.

Lord *Ellenborough* observed, that some of the petitioners appeared to petition in ignorance of the real nature of the question respecting which they prayed the House. There was no question now about restoration of rights. The object of the bill of Pains and Penalties was to deprive her majesty of all those privileges immunities and exemptions which appertained to her as queen consort; and that bill being thrown out, of course her majesty's rights remained as they were before, untouched and undiminished.

Lord *Holland* said, that the noble lord might have made up his mind upon the question as to the right of the queen to have her name inserted in the Liturgy, that no such right existed, but undoubtedly there were men high in the law and eminent in station, who were of opinion, that the queen had a legal right to have her name inserted in the Liturgy. It was, therefore, quite natural that the people, seeing that her majesty's name was excluded from the Liturgy, and witnessing besides, that her majesty was refused a palace, and that no establishment had hitherto been given to her, should petition for the interference of that House, to have her majesty restored to those rights which appertained to her as queen consort, and which had been enjoyed by all preceding queen consorts.

Lord *Ellenborough* admitted, that the question respecting the insertion of the queen's name in the Liturgy was liable to very considerable doubt and difficulty, and though he might have formed an opinion upon it, he was well aware that it was a question of great delicacy and difficulty. All he meant to say was, that the queen's rights as queen consort were not all affected.

The Earl of *Carnarvon* rose to present the petition of the county of Hants. The meeting at which this petition was voted had been called, after attempts of a very extraordinary kind had been made to prevent the county from assembling. Among those who had endeavoured to obstruct this constitutional expression of the opinion of the county, were persons holding official situations under government and members of that House. They had put forth a counter-requisition, and stated that they had already sent an address to the king which rendered any further expression of the sentiments of the county unnecessary. Notwithstanding this attempt to prevent it, the meeting was held, and a more numerous and respectable assemblage of freeholders never was seen in the county. The petition—which he held in his hand—was adopted at that meeting, and the signatures amounted to several thousands. No names more respectable, either for property or character, could be found in the county then those which were appended to this petition. The number was not less than from seven to eight thousand; and, the petition might therefore be held to represent the general sentiments of the inhabitants of Hampshire. The petitioners prayed, that their lordships would not, under any shape or form, re-enter on proceedings against her majesty, and that they would take measures to procure the insertion of her majesty's name in the Liturgy. He trusted, his majesty's ministers would not act so madly as to oppose the wishes of the petitioners, and the general opinion of the country, on the question.

The Duke of *Wellington* supposed, that the noble earl had alluded to him, as one of those who had signed the counter-requisition. Now, he did not sign that counter-requisition, and the reason of his refusal to sign it was, that being lord-lieutenant of the county, and besides, a member of the government, he thought his signature, under these circumstances, would have been improper. He must say, however, that he entirely concurred with those who signed the counter-requisition, as to the impropriety of assembling the county. As an address had already been presented to his majesty, signed by 9,000 names, he considered the opinion of the county already expressed, and that it was not necessary to go through the farce of a county meeting. At the meeting which took place, only one side was allowed to be heard. The member for the county, whose view was different from the requisitionists, attended, and wished to state his sentiments, but could not procure a hearing.

The Earl of *Carnarvon* admitted the propriety of the noble duke's reasons for not signing the counter requisition, but he confessed, that he heard, with some dismay, a declaration by a member of the government, that a county meeting called for the purpose of addressing the king and petitioning parliament, was considered as a farce. He was afraid that it was a part of that system which ministers had long pursued, and which would tend to persuade the people, that it was in vain to expect from them a substitution of conciliation for threats and restraints. The noble duke might think that the loyalty of the county was sufficiently expressed by the first address; but was it not strange to say, because a loyal address had been secretly circulated and signed, that therefore there was to be no public county meeting? The declaration expressed the attachment of those who signed it to the constitution. The noble duke approved of that declaration; but he would be glad to know how far he conceived himself pledged to support that constitution; because if any thing was more essential than another to the preservation of the constitution, it was, that county meetings should be free and open. But it seemed that it was not this popular part of the constitution which it was the object of ministers and their friends to support. What sort of loyalty was that which was displayed in the declaration? and how was it got up? A sort of pastoral letter had been sent to every clergyman in the county, requesting that body to use their utmost exertions to obtain signatures. This was not the first time (but he hoped it would be the last) that men, who ought to keep aloof from political contests had been thus employed. The deputy sheriff of the county signed the letters as secretary to the Pitt club; so that when the Pitt club had made their collection of signatures, their lordships were to be told, that to hold a county meeting was a farce. The noble duke had also stated, that the member for the county could not obtain a hearing. This assertion was not correct. There was nothing extraordinary in certain tokens of disapprobation being expressed on the address of a speaker in any assembly. It was what occurred in the other House of parliament, and even in this; and such expressions of feeling the noble duke himself must often have observed. The member of a county, as well as any other person, would meet with that sort of disapprobation, when, what he said did not accord with the feelings of those whom he addressed, or when they thought their time unnecessarily occupied.

The Marquis of *Lansdown* said, he subscribed most cordially to every word which had fallen from his noble friend. The noble duke had stated, that the counter-requisitionists conceived there was no necessity for calling the county together again. The complaint on the part of the inhabitants of the county, however, was, that they had not been called together at all. Who was it that set up the opinion, that the loyal declaration expressed entirely the sentiments of the county? It might be the counter-requisitionists, but he trusted not the noble duke. A certain declaration was privately circulated, of which no person who signed it had power to alter or modify a single syllable, any more than the clergyman who circulated it had power to alter any of the thirty-nine articles which they subscribed. Yet, according to the explanation of the counter-requisitionists, the sense of the county had been sufficiently taken in this private manner. For this reason, and because one of the members for the county had been prevented from being heard, the constitutional meeting of the county had been stigmatized as a farce. It was with astonishment that he heard this term of reproach applied to the exercise of one of the most valuable rights of the subject—the more valuable because it was exercised in the face of day, and gave every individual in the county the opportunity of canvassing freely and independently the state of public affairs. This right had not only been long exercised in this country, but, was a right, the exercise of which was encouraged when the sentiments expected to be expressed were agreeable to those in power. That kind of assembly, which was now called a farce was, a year ago, the only regular and constitutional mode through which the throne had been approached with addresses of congratulation. Did any of his majesty's ministers, then, call these meetings a farce? Such meetings would never be so stigmatized, when their proceedings accorded with their opinions and wishes.

The Duke of *Wellington* said, he had not stated that the county had been called before, but had given it as his opinion that its sentiments had been sufficiently expressed in an address which had been publicly circulated and signed. With repect to the word "farce," he did not use it out of disrespect to county meetings generally. He certainly did not view them with any disapprobation, when so conducted, that all sides could be heard; but when they were called by one party only, and when every man who wished to say any thing in opposition to the opinions of that party, had to ask the protection of some noble lord or some other person, in order to obtain a hearing, he did not conceive that such a meeting expressed the sentiments of the county. He was willing to allow that county meetings, if properly regulated, were a fair constitutional mode of taking the sense of the county; but this could not happen when they were attended by a mob for the express purpose of supporting one side. The fact was, that the county member had not been heard at this meeting.

Lord *Holland* observed, that the noble duke had expressed, in the address, his attachment to the constitution; but what he had said in that House explained what he meant by his attachment to it. There was a distinction in the mode in which he wished the constitutional opinion of the people to be expressed. An address secretly got up and privately circulated, was a grave and commendable mode; but attachment to the constitution expressed at a public meeting was a farce. What displeased the noble duke was, that persons on one side could not obtain a hearing. But his noble friend had explained this. The meeting was public, and all parties might have come to it. It semed, however, that every thing was fair when the parties were secured by lock and key, and when no one who disapproved of their proceedings could get near them; but when public discussion was invited, and the doors thrown open to all persons both friendly and adverse, then the meeting was a farce. The declaration mentioned by the noble duke purported to express the opinion of the county; but as it was only the opinion of individuals, he could not admit it to be what the noble duke described it, but considered it a fraudulent attempt to misrepresent the opinion of the county. He did not say that county meetings were entirely without defects. There was nothing in the constitution of this or of any other country that might not be liable to objection. But this he would say, that that arrangement by which an opportunity was given to both sides to come forward and express their sentiments was not one of its defects. The noble duke had said, that it was necessary for persons who opposed the object of the meeting to appeal to some noble lord for protection. If by this he alluded to meetings at which he (lord Holland) had been present, it was certainly true that he had always endeavoured to obtain a patient hearing to every person; but if he meant, that there was a decided unwillingness to hear persons state sentiments of the kind alluded to, such was not the fact. He declared that both at the meeting of the county of Oxford and of Bedford, a fair hearing was given to persons who spoke in a way calculated to excite irritation. The noble duke had used the word "farce," in application to that which was a part of the constitution. He sincerely believed that this expression was used in haste, and candour required that the same excuse should be extended to all who wrote or spoke on constitutional subjects. Let not their lordships, when they had heard the popular part of the constitution called a farce, be too severe on the language of others respecting its other branches. With regard to the explanation given by the noble duke, he did not see that it amounted to any thing, except that all county meetings must be a farce, unless they were favourable to ministers, It never occurred, that opposite parties joined in calling meetings. It was sufficient that they were open to all. As far as his information went, a more shameful attempt to put forth a false opinion as the sentiments of the county was never made than that which proceeded from the counter-requisitionists.

The Earl of *Liverpool* said, that his noble friend had been misunderstood. He never meant to treat with contempt county meetings, which he knew were a part of the ancient constitution of the country. What he objected to was, that when they were so assembled and so controlled by a mob, their proceedings must necessarily be a farce; such meetings were not meetings of freeholders. Undoubtedly, county meetings, if they could be conducted in practice according to their theoretic object, must be most useful. In that sense, he admitted, that no part of the constitution was more valuable; but they were liable to great abuse, and when not held in county hall, but in the open air, they were no longer meetings of any legal description of persons known to the constitution. He did not know that the Hampshire meeting was to be considered an exception. When the noble lords talked of sending round the declaration to be signed, he should like to know how the petition of the Hampshire meeting had been signed? Were the 7,000 or 8,000 signatures all collected at the meeting? The declaration had 9,000 signatures; and it was, after all, to the signatures that they must look for the expression of the opinion of the county—he meant to the number and respectability of the signatures considered together. It certainly was not his intention, or that of his noble friend, to stigmatize county meetings; all that was meant was, that those meetings in which clamour and confusion prevailed, to the exclusion of fair discussion, did not convey a correct expression of public opinion.

Earl *Grey* did not expect, after what had passed in that House, last session, on the subject of public meetings, to have heard any reflection cast on county meetings, especially as, when the measures for abridging the liberties of the people were under discussion, the noble lord contended, that county meetings called under the authority of the sheriff, would henceforth have greater weight. But, notwithstanding all that the noble earl had then said in support of county meetings, and the advantage of holding them under the authority of the sheriffs, some of those sheriffs refused to call meetings, and others conducted themselves with the grossest partiality when they were called. The noble earl had explained the manner in which sheriffs were appointed; but he was surprised to find, that he had not attempted to say any thing satisfactory on the discretion they assumed of refusing to call meetings. He should be sorry to attribute to a person of the noble duke's character a wish to depreciate any part of the constitution, though his words certainly had that tendency. The noble duke did not object to meetings which both parties called, and where there were opportunities for discussion. But was not the meeting in question legally called? Was not the requisition respectably signed? and was not the object legal? His noble friend had described the meeting as most respectable. The objection of the noble duke applied to a circumstance which was unavoidable. County meetings often did wrong in not patiently hearing persons who addressed them; but this was the case in every assembly in which conflicting opinions were stated. Did not something similar often occur in parliament? If the doctrine of the noble duke was to be adopted, county meetings would never be called, except on occasions when there could be no difference of opinion—such as those which occurred last year, when the object was, to express to the throne, sentiments of compliment and congratulation. His noble friend (lord Grosvenor) had described some very extraordinary conduct on the part of the sheriff at the Cheshire meeting. Did the noble duke and the noble lord mean to call that meeting a farce? But their lordships had had an instance of the same kind at their own doors. Yesterday a meeting of merchants and bankers was called in the city of London. Who were the persons who endeavoured to prevent fair discussion, and to provoke a dissolution of the meeting? Precisely those who had before got up a secret declaration. The private declaration alluded to by the noble duke did not express the opinion of the county of Hants. It was said it had 9,000 signatures; but, whatever the number was, they were procured, not by any fair discussion at a public meeting, but by influence and the active canvass of clergymen. How could it, then, be asserted, that in this way the sense of the county had been sufficiently expressed? He hoped that the noble duke did not mean to reflect on county meetings generally; but his language had been such as to give great reason to suspect that the feeling with which ministers regarded popular rights was very unfavourable. Those rights, however, were not less a part of the constitution than the prerogatives and privileges of the Crown.

The Duke of *Leinster* said, he believed his majesty's ministers were extremely fond of *coups de théatre;* but the farce at Dublin, to use the noble duke's phrase, where the military were called in from the county gaol, and the meeting dispersed, *vi et armis*, had nearly terminated in a tragedy. He should shortly have occasion to call the attention of the House to this subject.

The Earl of *Blesinton* said, that the noble earl opposite had no objection to county meetings, where an opportunity was afforded, of hearing the arguments which might be urged on both sides, and entering into a calm, fair and impartial discussion of public questions. But, what was the conduct of the sheriff in the county of Dublin? Did he allow gentlemen to address the meeting on both sides of the question, or did he permit any person to offer his sentiments who was opposed to the requisition? No; he chose rather to dissolve the meeting than to hear any opinions opposed to his own; he proceeded to call in the military, without applying to the civil power, and actually handed lord Cloncurry out of the chair, whose good humour and discretion on that occasion, prevented this farce from terminating in a tragedy.

The Earl of *Carnarvon* strongly reprobated the attempt which had been made to cast a reproach upon one of the most respectable meetings he had ever attended. He hoped the noble duke would learn to appreciate better the character of English meetings in general; and that he would not, without better information, attempt to degrade a respectable public meeting of an English county by designating it as a clamorous mob.

Lord *Ellenborough* said, he had heard with regret the expression which the noble duke had made use of, because he was sure it would be taken advantage of out of doors. He, however, did not understand that expression in the sense in which it had been taken by other noble lords, or he would have agreed with them in the censure they had bestowed on it. In his opinion, the expression was not meant to apply to all county meetings, but only to those at which it was impossible any rational discussion could take place. It was with deep regret he felt himself compelled to say, that the county meetings which had lately been held deserved all that the noble duke had said of them. This was occasioned, not by the persons who attended those meetings, but by those who absented themselves from them. If the 9,000 persons who had signed the counter-declaration had attended the meeting, they would have had a majority, or at least they would have given a different complexion to the meeting. If the ancient practice were restored, county meetings would be very different from what they were at present. Addresses would then have greater weight than they have now, when they are agreed to after—and not at the meetings.

The Duke of *Bedford* presented a petition from the county of Bedford, praying for the restoration of her majesty's name to the Liturgy, and the restitution of all her rights and dignities; and also for a complete change in the system of government. In presenting this petition to the House, he wished to say a few words in explanation of what was meant by a complete change in the system of government. They wished for a system of rigid economy and retrenchment, instead of a system of prodigality and corruption, for a reform of the various abuses which had crept into the government, and for a system of justice, kindness, and conciliation towards all classes of his majesty's subjects. The meeting was one of the most numerous which had ever been held in the county, and the petition was carried with only two dissentient voices. Two most respectable individuals had entered their protest against it, and they were heard with that respect and attention which their manly conduct deserved.

Viscount *Anson* presented a similar petition from the city of Litchfield. He had received a protest against it, which had been framed at a secret meeting: and he could not but express his regret at observing the names of nine clergymen, at the head of whom was the dean of Litchfield, subscribed to a protest, of which, the object was, to exclude her majesty from the prayers of the people. He was sorry to be compelled to say, that the conduct of the clergy throughout the country had exposed that body to merited reprobation. He had no hesitation in declaring, that the petition contained the real sentiments, and almost unanimous opinions of the inhabitants of the city of Litchfield.

The said petitions were ordered to lie on the table.

NAPLES—DECLARATION OF THE ALLIED SOVEREIGNS AT TROPPAU.]—Earl *Grey* rose, to call the attention of the noble lord opposite, to a subject connected with our foreign policy. He had been unsuccessful in his attempt to obtain answers to the questions which he had put to the noble lord on a former night, which led him to fear that he should obtain no information on the present occasion. The noble lord must be aware that a circular letter had lately been addressed to different continental states, and among others, to the senate of Hamburgh. It was in the following terms:—

"The overthrow of the order of things in Spain, Portugal, and Naples, has necessarily caused the cares and the uneasiness of the powers who combated the revolution, and convinced them of the necessity of putting a check to the new calamities with which Europe is threatened. The principles which united the great powers of the continent to deliver the world from the military despotism of an individual issuing from the revolution, ought to act against the revolutionary power which has just developed itself.

"The sovereigns assembled at Troppau, with this intention, venture to hope that they shall attain this object. They will take for their guides in this great enterprise, the treaties which restored peace to Europe, and have united its nations together.

"Without doubt the powers have the right to take, in common, general measures of precaution against those states whose reforms, engendered by rebellion, are openly opposed to legitimate governments, as examples have already demonstrated, especially when this spirit of rebellion is propagated in the neighbouring states by secret agents.

"In consequence, the monarchs assembled at Troppau, have concerted together the measures required by circumstances, and have communicated to the courts of London and Paris their intention of attaining the end desired, either by mediation or by force. With this view, they have invited the king of the Two Sicilies to repair to Laybach, to appear there as conciliator between his misguided people and the states whose tranquillity is endangered. By this state of things, and as they have resolved not to recognize any authority established by the seditious, it is only with the king they can confer.

"As the system to be followed has no other foundation than treaties already existing, they have no doubt of the assent of the courts of Paris and London. The only object of this system is, to consolidate the alliance between the sovereigns: it has no view to conquests, or to violations of the independence of other powers. Voluntary ameliorations in the government will not be intruded. They desire only to maintain tranquillity, and protect Europe from the scourge of new revolutions, and to prevent them as far as possible."

He would not stay to inquire how far the conclusion of this circular was in unison with the sentiments stated at its commencement: all he wished to know, was, whether the determination here expressed by the allied powers was founded upon treaties. In this circular it was inferred, that the allied powers would have the consent of the courts of London and Paris to their proceedings. He wished to know whether this paper had been communicated to the government of this country, and whether the inference of support from England had been authorized by the government?

The Earl of *Liverpool* said, he had not the least difficulty in answering the question of the noble earl. The paper to which he referred was, he believed, an incorrect copy of a real paper which did exist. However, he had no difficulty in stating, in the first place, that there were no treaties of the nature alluded to in that paper. In the next place, he was able to assure the noble earl, that the court of London was no party to any proceedings now in progress with reference to Naples. In consequence of a paper, similar to that referred to by the noble earl, a paper had been addressed by this government to the different powers of Europe, which he should have no objection to lay before the House. That paper would explain the whole policy pursued by this government with reference to the affairs of Naples. He repeated, that he had not the slightest objection to the production of that document, though he could wish, as a matter of convenience, that the noble earl would not move for it that evening.

Earl *Grey* expressed himself perfectly satisfied with the answer of the noble earl. He certainly should not move for the production of the paper to-night, after what had fallen from the noble earl; but he hoped that it would be speedily laid before the House, and he confidently expected, from the answer of the noble earl, that that paper would contradict the inferences drawn by the courts of Petersburgh, Berlin, and Vienna; and show, that they had no right whatever to count upon the co-operation or assistance of this government.

The Earl of *Liverpool* had no difficulty in assuring the noble earl, that the paper he had referred to would give a complete contradiction to any inferences, calculating upon the assistance of this government. There were some arrangements which prevented its immediate production; but he should be ready to lay it before the House in the course of the next week.

HOUSE OF COMMONS.

Friday, January 26.

The King's Answer to the Address.]—Mr. Speaker reported the king's answer to the address as follows:

"Gentlemen,

"I receive with the highest satisfaction this dutiful and loyal address. The assurances which you give me of your affectionate attachment to my person and government, and of your cordial support in the discharge of those sacred duties which are imposed upon me for the protection and happiness of my people, afford me the surest pledge that I shall be enabled, under the favour of Divine Providence, effectually to preserve to my subjects those inestimable blessings which they have hitherto enjoyed under our invaluable constitution."

Petitions relative to the Queen.]—Mr. *Wyvill* presented a petition signed by 1,700 inhabitants of the city of York, complaining of the conduct of ministers towards her majesty, and praying for the restoration of all her rights, and especially for the restoration of her name to the Liturgy. He took that opportunity of stating, that it was with considerable pain he learnt that the noble lord opposite, did not, of himself, intend to advise the restoration of her majesty's name to the Liturgy. He inferred from this conduct, that neither ministers nor his majesty were aware of the irritation which prevailed throughout the country on this subject. He must also say, that he was greatly surprised that ministers had no intention of instituting an investigation into the Milan commission. The country would assume from this conduct, and confidently assume as a fact, that there had been a conspiracy, and that ministers were parties to that conspiracy.

Mr. *James* presented a petition from Carlisle, praying for the restoration of her majesty's name to the Liturgy, and entreating that the House would no longer continue to support ministers, who had introduced and supported such unconstitutional measures. The petition was signed by more than 1,000 names, and it reprobated the bill of Pains and Penalties as a violation of the constitution and of the fundamental laws of the realm, and as a measure unknown, except in cases of most urgent state necessity.

Mr. *Denison* rose to present a petition from the parishes of St. Mary Magdalen, Bermondsey, and others, praying for the restoration of her majesty's name to the Liturgy. It lamented that the late measures against her majesty should ever have been instituted. In the sentiments and prayers of the petitioners he concurred, being convinced, that a more impolitic, unwise, and unjust measure, than that of striking her majesty's name out of the Liturgy, could not have been devised; and being also convinced, that nothing could restore tranquillity to the country but the replacing of her majesty's name where it ought to be. On the motion, that the petition be printed,

Sir *E. Knatchbull* expressed a hope that, on the score of economy, hon. gentlemen would not press the printing of every petition of this sort that might be presented. He therefore hoped the hon. member would not persevere in the motion he had made.

Mr. *Denison* agreed with the hon. gentleman, that economy was desirable, but could not agree that the petition ought not to be printed. Those from whom it came, though in a humble situation, were as much entitled to have their sentiments made known to their fellow subjects as any other body of men could be.

Lord *Milton* was glad to find the hon. member for Kent so alive to the necessity of observing the most rigid economy, and trusted the House and the country would regard it only as an earnest of the zeal with which, for the future, the hon. member would labour for the reduction of every useless expense and unnecessary office. Perhaps he would find, that the office of receiver-general of the land-tax was one which might be dispensed with, under the present circumstances of the country, and the business connected with it, performed through some other channel. Should a motion to this effect be made, he hoped the country would be favoured with the support of the hon. gentleman, who might perhaps be an important witness on this subject.

Mr. *C. Dundas* presented a petition from the county of Berks. It complained that no inquiry had been made into the distresses of the country, but that parliament had been occupied for many months solely, with a needless prosecution against the Queen—a prosecution which was distressing to the moral feelings of the country and derogatory from the dignity and honour of the Crown. In presenting this petition, he begged leave to join in the wish that the undivided attention of ministers and of parliament should be devoted to the relief of the unprecedented distresses of the country. The petitioners most justly stated, that for months their attention had been devoted to a prosecution that was at once unnecessary and unjust. The failure of that prosecution placed her majesty in the same situation in which a party accused was placed by the throwing out of a bill by the grand jury, and at this result every friend of the royal family, every well-wisher to our constitution, every lover of his country must have sincerely rejoiced. That most unjust proceeding had alarmed every friend of justice and truth and humanity; it had disgusted every man of sound understanding and good feeling. He had entertained some hope, from the experience of his majesty's mind and disposition, that the irritation and dismay excited throughout the country would have been removed; and that the country would have been relieved from a feeling of dissatisfaction which had perhaps never been equalled. He could answer for the petitioners being as decided in their loyalty to the king, and their attachment to the constitution, as any body of men in England.

Mr. *Denison* presented a petition from the inhabitants of Godalming. It was most respectably signed. Its prayer was, for the restoration of her majesty's name to the Liturgy; and for such reform in that House as would give the people a free, fair, and full representation. He fully agreed in this prayer, though he was no advocate for the wild schemes of annual parliaments and universal suffrage.

Mr. *W. Williams* presented a petition from the inhabitants of Lambeth. It was signed by more than 2,000 respectable inhabitants. It was the firm belief of the petitioners, that nothing could allay the irritation of the country but the restoration of her majesty's name to the Liturgy and to all the rights belonging to a Queen consort. He cordially coincided with the petitioners, and he had placed that reliance on the candour and humanity of ministers, that as soon as they had been compelled to give up the prosecution they would have restored her majesty's name to the Liturgy. He still hoped they would retrace their error, and restore her majesty's name to the prayers of a religious and loyal people, as the only means of giving tranquillity to the country. The petitioners prayed also for inquiry into the Milan commission.

Sir *Ronald Fergusson* presented three petitions—one from the magistrates and town council of Culross, the second from Burntisland, and the third from Kinghorn. One of the petitions stated, that all the evils of the country—our agricultural and commercial distresses, were owing to his majesty's ministers; and, therefore, prayed the House to withdraw its confidence and support from them. He heartily hoped, that the House might comply with this petition. All the petitions declared their abhorrence of the prosecutions against the Queen, and prayed for the restoration of her name to the Liturgy, and to all her rights as Queen consort.

Mr. *Sykes* said, he had a petition to present on a subject somewhat different from the preceding petitions. It was from Cottingham; and complained of the great distress which afflicted all classes. The speech from the throne had been made to represent a state of things which existed not. Never yet had he seen one person outside of those doors who believed one word of it. Whatever ministers might believe themselves, or attempt to make others believe, sure he was, that so far as his experience extended, nine-tenths of the people joined in the belief, that without a change of ministers and measures, no satisfaction could be obtained for the people. Without an entire change of the system acted upon, the unhappy agitation which prevailed, and from which, the royal name, the royal family, and the best interests of the country had suffered, could not be allayed. For this reason, too, the petitioners prayed for the dismissal of ministers. On the first day of the session he had heard much of the folly and mischief of certain persons; but he would ask, whether there could be folly and mischief equal to the folly and mischief of those who had instituted the proceedings against the Queen? He should have thought that wisdom would have dictated very different conduct in point of prudence; he should have thought that wisdom would have dictated very different conduct on the ground of justice. The measures against the Queen had been conceived in mischief, nursed up in folly, and supported by perjury.

Mr. *Hobhouse* said, he held in his hand some additional commentaries on the assertion of the noble lord opposite, that he was in possession of the confidence of the country. The first was a petition from the parish of St. George, Hanover-square. The mock loyalists had endeavoured to get up a mock-loyal petition in the same parish, and in ten days they had got 415 names. The petition which he held in his hand had not been ready for signature more than ten hours, and it had got as many names. If the subject did not require that it should be presented that night, it would have been signed by nearly as many thousands. It prayed for attention to the distresses of the country, for the restoration of her majesty's name to the Liturgy, and also for a reform in the representation. The second petition was from the bookbinders of London and Westminster. It prayed for the same objects. The third was from Langport, praying for the dismissal of ministers, and for the restoration of her majesty's name to the Liturgy, it was signed by 1,000 names. The fourth was from Sidmouth, and signed by 450 individuals. No one could object to the loyalty of the people of Sidmouth, who, from unaccountable attachment to ministers, had refused to petition against them in the case of the Manchester business. A mock loyal address from this place had not so many names, although applications had been made for ten miles round. He had been entreated by the petitioners to urge the necessity of taking the prayers of the petitions into serious consideration. It would be a failure of courtesy to the noble lord, whose motion was fixed for that night, if he were to offer any observations now, upon the subject of the Liturgy. He must say, however, that the member for Guilford had taken a very erroneous view of the question, when he had said that he viewed it only as a legal question. If the exclusion of her majesty's name could be established as legally right, still the question would recur as a question of state necessity. Would it be endured that her majesty's name should be struck out of the Liturgy, upon evidence which had not made good the charge against her majesty, to the minds of those who had been trying the question? There was no inconsistency in connecting the two subjects, of the restoration of her majesty's rights and the reform of that House. If there had been an actual responsibility of ministers, they would not have dared to attempt measures so hostile to the interests and to the feelings of the country. The proceedings against the Queen had taken away the film from the eyes of all who had, in defiance of reason, supposed that that House represented the people. But the illusion had been removed by the first lord of the Treasury, who had disregarded the House of Commons when it declared the prosecution derogatory and injurious, but who, when he afterwards gave it up, said, it was because the people of England had felt so strongly against it. What could be a more clear declaration than that of his considering that House as not representing the people of England? The House would act wisely, therefore, by acceding to such a reform as would convince ministers that they did represent the people. It would be better to do it with a good grace than to be forced to do it. As to the dismissal of his majesty's ministers, it was impossible to say how that very desirable object could be effected. Ministers would not yield to the people, or to the parliament. In former times, if ministers could not carry a great measure attempted by them, they resigned their places; but the present ministers could endure every defeat and censure, and still keep their places. They failed in the attempt to carry the Property-tax, and kept their places. They lost the bill of Pains and Penalties; still they kept their places. If there should be a majority that night against them, of which he had no idea, to-morrow we should still see them in their places: and there seemed no reason to doubt, that they would leave their places as inheritances to their heirs, executors, administrators, and assigns. He, therefore, could not see how this prayer could be carried into effect; but he was willing to contribute all in his power towards the accomplishment of this object, as one of the only means of saving the country from impending ruin.

Mr. Sergeant *Onslow* said, the hon. member had imputed to him, expressions too absurd for any but an idiot to have used. If the right of excluding her majesty's name was legal, still there was the question of expediency to be considered. If the hon. gentleman chose to cite his words, he ought to have done it correctly.

Mr. *Hobhouse* said, he had never supposed the learned gentleman to be an idiot. He was the last man in the world to say any thing to disparage the learned gentleman, or to speak with personal disrespect of any one. Many, however, had thought, as well as himself, that the learned gentleman considered the question about to come on to be merely a legal question.

Mr. *Fyshe Palmer* presented two petitions, of a similar nature: the first, from the inhabitants of Reading, signed by 1,300 persons: the second, from the inhabitants of Tilehurst, tithing of Theale, and its vicinity. The hon. member begged leave to say, that the petitioners were devotedly attached to the constitution, and were most anxious to support the honour and dignity of the Crown. They had seen, with regret, the late proceedings against the Queen, carried on against the advice and recommendation of parliament—they had seen the charges against her majesty supported by the foulest and most corrupt perjury,—they had seen that the witnesses brought forward against her majesty were discharged servants, who had been bribed to give testimony against her. This was nothing less than corrupting the source of justice. The petitioners most solemnly prayed the House of Commons to withdraw their support from those ministers, who had, for such a length of time, abused the power entrusted to them,—that a stop should be put to any attempt to renew the proceedings against the Queen,—that the House of Commons would husband with strict economy the resources of the nation; and that every exertion should be made to inquire into, and alleviate, the distresses under which the country at present laboured. They prayed also, that every effort should be made to correct the abuses which existed in the representation of the people in parliament. He begged to remind the House of an observation which had been long since made, that unless a reform took place in parliament, no ministers could possibly manage the affairs of the country with honour to themselves, or advantage to the people, however well inclined they might be to do so.

Mr. *Denman* presented a petition from the inhabitants of Nottingham, in which, they described the late proceedings against her majesty as having originated in a foul conspiracy, and expressed a hope, that the feelings so generally entertained amongst the people on this subject would be likewise found to animate that House. They deprecated any renewal of proceedings so disgraceful, as dangerous to the public peace and trusted that her majesty's name would be re-inserted in the Liturgy. The petition further prayed, that the House would take steps for bringing to punishment those who had conspired against the Queen, and that it would refuse to grant any supplies until those objects were attained.

Mr. *Birch* presented a petition from the corporation of Nottingham, praying, that no further proceedings should be instituted against the Queen—a prayer which, after what had been declared by the noble lord opposite, the hon. member was willing to consider as already complied with. He trusted that the worthy alderman (Heygate) who disapproved of the original exclusion of her majesty's name from the Liturgy, and yet professed himself to be against its restoration, would attend in his place that night, and find reason, in the course of the debate, to change his view of the question.

Mr. *R. Martin* observed, that he approved much more of this petition than of that which had been presented by the Queen's Solicitor General. As counsel for the Queen the learned gentleman might naturally entertain a strong and honest prejudice in her favour; but before others allowed themselves to bring forward charges of conspiracy and perjury, they ought to be able to prove their allegations. He wished, therefore, to give notice, that if he should hear parties accused of having committed bribery and false swearing in order to calumniate and degrade the Queen, he would challenge them to put something in a course of proof, so as to give to the accused a legitimate mode of defending themselves. This might be easily done by moving, that all the papers relative to the late inquiry should be taken into consideration. [Cries of "Move, move."] Move what? what was he to move? It was for those who made the charges to substantiate them.

Mr. *Denman* said, he was obliged to the hon. gentleman for the terms in which he had thought proper to allude to him, but he scarcely thought he stood in need of a defence or apology for presenting the petition which had called forth the hon. member's animadversions. He was not bound to justify, to its full extent, the language of the petition, of which not one word was his own; neither was he aware, that any charge was preferred against the gentlemen opposite of having been engaged in a conspiracy. The petitioners expressed, in general terms, their belief that a conspiracy had been formed and defeated; and they hoped, that its authors and abettors might be brought to punishment. This part of the subject evidently referred to a question, upon the consideration of which it was not then a proper time to enter.

Mr. *Heathcote* said, he held in his hand a petition from the inhabitants of the town of Boston, similar in its general prayer to those which had been already received. In presenting it, he could not avoid expressing a hope that all those proceedings which had now so long, to the exclusion of every other subject, engaged the attention of parliament, might be brought speedily to an end. In their progress they had not been less detrimental to the dignity of the throne, than repugnant to the feelings of the people; and where so much must now be granted—and so little could be denied, a full restitution of the rights and privileges of Queen Consort appeared to him to be the most just and the most politic course.

Mr. *Honywood* presented a petition from Margate, praying for the dismissal of ministers, and the restoration of the Queen to all her rights and dignities. Those who signed it were freeholders, and, in publicly meeting to express their sentiments on public events, were not conscious that they were acting "a farce," but imagined rather that they were engaged in the exercise of one of their most valuable liberties. He feared much, that if these petitions should be treated with neglect, the people would be confirmed in an opinion which they had long entertained, namely, that the House did not speak the sense, or represent the wishes of the country.

Lord *Stanley* rose to present a petition from the inhabitants of Chorley, in Lancashire, complaining of the unprecedented treatment of her majesty, and praying, not merely, that the Queen's name should be restored to the Liturgy, but also that her majesty should be invested, without further delay, in all the honours and dignities due to her exalted station. Such was the prayer of the petitioners, in the whole of which he cordially concurred; and he thought ministers would abandon their duty if they did not immediately accede to the wishes of the country, and give that advice to their sovereign which would allay the irritation excited so generally by the treatment of her Majesty.

Mr. *Monck* presented a petition from the town of Wantage. The petitioners called the attention of parliament to the existing state of the agricultural classes; they also complained of the treatment experienced by the Queen, and stated, that nothing but the reinstatement of her majesty's name in the Liturgy, and her investiture in all the honours of her rank as Queen Consort, could allay the agitation which prevailed throughout the country. He heartily concurred in the prayer of the petition, and earnestly hoped, or rather wished—for hopes he had none—that sentiments like these, which were so honourable to the sense and feelings of the people, would not be lost upon his majesty's ministers. He earnestly wished that the voice of the people might not, as heretofore, be thwarted, and that parliament would not exhibit a determined spirit of opposition to the sentiments of the people at large.

Sir *Robert Wilson* said, he held in his hand a petition, signed by 2,097 persons of that respectable class of artisans denominated the Spanish Morocco Leather-dressers [a laugh]. He did not know what there was in that to excite a laugh; it was true the petitioners were poor but they were honest, industrious, and loyal; they also paid heavy taxes, and had as much right to be heard in that House as the constituents of the representative of any borough in England. They were as well entitled to attention, when they approached that House with the expression of their sentiments upon a great national question, as any body of men whatever, and they were then more especially deserving of being heard when they held one uniform language with all their countrymen upon the important subject which occupied, at that moment, the attention of parliament. That language was strong, but it was just. They expressed their detestation of the odious proceedings against the Queen, and more particularly the act of omitting her name in the Liturgy while she was yet untried. This they called an outrage to decency and law, and insisted that it was evidently intended to brand her majesty with infamy in the first instance, that she might be compelled to remain in exile, or if she returned home, that the disgrace attached to her name might facilitate her condemnation at the bar of public opinion and of both Houses of parliament as one already degraded. The petitioners also expressed their regret, that political malevolence should ever have found its way into the temples which ought only to be occupied by religion and her kindred charities. The petitioners therefore prayed the restoration of her majesty's name to the Liturgy. The hon. member then proceeded to comment on the conduct of ministers relative to this question. He said, that the Chancellor of the Exchequer on a former occasion, had expressed himself, as if the question would be decided by its legal merits, but the noble lord opposite had let the cat out of the bag; for he said what was equivalent to stating, that whatever the legal merits of the case might be, his majesty's ministers would never sanction the insertion of the Queen's name in the Liturgy. He had, in fact, made it not a question of law, but one of party, and he called on party knights and their squires to defend him in his station. But the petitioners prayed that her majesty's name might be restored to the Liturgy, not only as a matter of right and of law, but as a means of tranquillizing the country; or as it was expressed in their own language, "that the sword of public dissention might be returned into the scabbard, and the torch of domestic discord extinguished for ever." They said, that without this was done, tranquillity could not be restored, and he would add—ought not. [Hear, hear!] He repeated that the agitation so jnstly excited ought not to cease, unless justice were done the Queen; for if it could cease without that justice being done, the country would present the melancholy spectacle of acquiescing in an act of monstrous injustice. If, therefore, peace were to be restored, he hoped it would be the peace of freemen and not of slaves. There could be no free government unless the voice of the people were heard and attended to. If this were not so, he should as soon live under the Sophi of Persia or the Dey of Algiers, as in England, if her spirit of freedom were gone. He was most anxious for peace, but he detested the maxim—"Iniquissimam pacem, justissimo bello antefero." That doctrine was at variance with the genius of a free people, and he therefore was no advocate for peace, unless it could be justly and honourably maintained. Anarchy might be the disease of a state, but tyranny was its death.—The petition was laid on the table, as well as another from Bolton-le-Moor, in Lancashire.—The gallant officer, in presenting the last petition, said that it was very numerously signed. The people in that part of the country naturally shrunk from holding a public meeting after the horrible scene at Manchester, where so much blood had been shed, and had still remained unatoned for. There were 600 maimed persons there, still crying for redress or inquiry. They were yet asking in vain for justice. Their petition at present was, that the Queen should be reinstated in all the honours of her station.

Mr. *Rouse Boughton* presented a petition to the same effect from several clergymen of the established church, and several dissenting ministers of Evesham, deploring the measures which had been hitherto pursued against her majesty, and entreating, that her name might be forthwith restored to the Liturgy, and, that she should be invested with all the honours, dignities, and prerogatives, due to her station. He concurred with the petitioners in thinking that the act of striking the Queen's name out of the Liturgy was unwise, inexpedient, and unfair. The ministers ought, without delay, to retrace their steps. By no other mode of conduct could they allay the agitated state of public feeling.

The Marquis of *Tavistock* rose to present the petition of the freeholders of the county of Bedford. It was, he said, agreed to at the first meeting held of that county for the last twenty-five years; and one more numerous, more respectable, more temperate, more loyal, and in every respect better conducted, had never been held in any county. It was conducted throughout in the true spirit of the constitution, and did honour to the county. The petition was signed by upwards of 2,400 freeholders and other respectable individuals. They complained, in very warm terms, of the treatment of the Queen; they reprobated the proceedings carried on against her majesty, from the beginning to the end; they were jealous of them, because they saw, that they shook the country and interrupted the public peace. Perhaps it might suit ministers to consider the Bedfordshire and other county meetings as a farce. It might suit men to apply that term to county meetings, who durst not themselves meet before the public, but who were obliged to skulk into holes and corners, from which they issued libels against the people of England. This was not the treatment which Englishmen deserved. Instead of having their feelings outraged in this manner, they ought to be treated generously and kindly—as friends, not as foes. The people of England were libelled when they were called disloyal. They were the most loyal people in the world. He hoped ministers would pause, before they drove the people to the last extremity of despair. It was not by sending forth imputations of sedition and blasphemy against all who had the hardihood to oppose their schemes, that they could tranquillize the country. This tirade of unjustifiable imputations could never answer a good purpose; such a course would always be found bad policy, either in public or private life.

Mr. *Bernal* presented a petition from Rochester, signed by 2,500 persons. The petitioners, he observed, were sincerely attached to the king and to the genuine principles of the constitution; and had, in the exercise of an undoubted right, felt it to be their duty to express their disapprobation of the measures pursued by his majesty's ministers. They called on the House to use its influence in procuring the restoration of her majesty's name to the Liturgy; they prayed, that it would institute a rigid inquiry into the recent proceedings against the Queen; and they besought the House no longer to place confidence in those ministers who had insulted their king and degraded their country. They also called on the House to inquire into the distressed state of the empire; occasioned as it was, by the conduct adopted by ministers—by their boundless profusion and extravagance, their opposition to the correction of abuses, and their abridgment of the rights of the people. While such men were in power, the petitioners conceived, that the prerogatives of the King, the rights of the Queen, and the liberties of the People were in danger. He entirely and sincerely—not at all as a party man, but from honest conviction—concurred in those sentiments. He did not wish to embarrass this or any government, when it was properly conducted; but when he saw proceedings instituted which were calculated to degrade the country in the eyes of the world, and thereby to lessen its consequence in the estimation of foreign states, it was, he conceived, high time that a change should be effected. At such a time as this, it was right that gentlemen should speak their sentiments freely, and not smother them under the veil of delicacy.—He had also to present a second petition on the same subject from the parish of Mary-le-bone. It was signed by 6 or 7,000 inhabitant householders; and he understood, that every endeavour had been used to prevent any but inhabitant householders from affixing their signatures to it. Had it not been for the shortness of the time, it would have received the signatures of 20,000 persons. The petitions, which were now pouring in from every part of the country, came from persons, many of whom never before dreamt of interfering in political matters. They did not merely originate in towns, cities, and counties, but they also emanated from wards, parishes, and villages. These petitions proved the real state of the country; they showed clearly what the sentiments of the people were; and they contradicted, decidedly, the assertion made by the noble lord opposite, that ministers enjoyed the confidence of the country. These appeals to the House would not, he hoped, be looked upon as political farces or interludes; if they were despised and slighted, instead of farces, they would, perhaps, be the precursors of deep political tragedies.

Mr. *Jervoise* presented a similar petition from the county of Hants. He stated, that it was agreed to at a county meeting, which was most respectably attended, and that it was signed by 8,000 freeholders; who, while they opposed the unwise and dangerous acts of the present administration, were as much attached to the soundest principles of religion and loyalty as any men in the kingdom.

Sir *W. De Crespigny* said, that having been one of the principal actors in this county farce he begged leave to say a few words respecting it. He used the term "farce" because he found, that county meetings were in future to be deemed farces, comedies, or perhaps, tragedies. He heard that county meetings had, in a most indecent, unconstitutional, and improper manner, been compared to mobs. In a short time, he supposed, all bodies would be looked upon as mobs, except battalions of infantry and squadrons of horse. He would venture to say, that he felt as much respect for military talents as any man in the country; but let such sentiments come from the most mighty mouths that could be, he would, in his place, protest against them, not only as disrespectful to parliament, but to the country at large. They were not now on the plains of Waterloo, or the Peninsula, or in the German dominions. [A laugh.] As to those gentlemen who dared to laugh on such an occasion, there was not one of them, who, if he had the spirit of an Englishman, ought not to stand up for the honour of his country against the impropriety of such language. They were not in a country where they could be cowed by the military, and, in his opinion, every member of that House should stand up for the honour of the country. The Hants meeting was most respectable, and he supposed that 7,000 or 8,000 persons were sufficient to speak the sense of the county. It had been stated, by a set of gentlemen, that a counter-requisition was signed after the high sheriff had appointed the county meeting. This was a most unfair and improper proceeding, and was intended to prevent the expression of the public feeling. And on what account? Because an address had been got up, not at a county meeting, as it ought to be, but by the influence of the secretary of a club, called the Pitt Club. That secretary took it on himself to send all over the county, to the ministers of the church in their different parishes, desiring them to sign the load of parchments he transmitted to them, and to call on their parishioners to sign them also. Good God! Could this be called a county address which was procured without a county meeting? It happened that this secretary of the Pitt Club was also under-sheriff of the county; and he knew, that in consequence of this circumstance, many of those who signed the address thought, that the under-sheriff had the sanction of the high sheriff for what he was doing; and it certainly was a little too bad that such delusive conduct should be allowed. He was much displeased at the allusion which had been made to the meeting; and he should be ashamed of himself, having been present at it, if he did not fairly and candidly state what he knew, and what the House would excuse him for detailing, with a degree of warmth which, under other circumstances, would not, perhaps, have been justifiable.

Mr. *Fleming* said, he could not support the sentiments contained in the petition presented by his hon. colleague, and felt himself called on, in justice to the rank and property of the county of Hants, to declare, that many of the most wealthy and respectable freeholders were not present at that meeting.

Mr. *Wellesley Pole* said, he hardly knew in what way he ought to treat the observations which had fallen from the hon. baronet on the other side. He had some doubts as to whether the hon. baronet's allusions fell within the orders of that House; but as he was not stopped by the Chair, it only remained for him to make a few observations on them. The hon. gentleman had used very hard words —[Cries of 'No,' and 'Yes']—were not sentiments such as he had expressed with respect to a noble person—

The *Speaker* here interrupted the right hon. gentleman and reminded him, that he was out of order. The reason he had not interrupted the hon. baronet was, that he had not been able to collect, from what had fallen from him, the person to whom he alluded.

Mr. *Wellesley Pole* hoped the hon. baronet, would do him the justice to allow, that he had not misconceived whom he had alluded to. He had made several severe observations, and had entirely misrepresented what he supposed to have been said on the occasion alluded to. If he knew the noble person to whom he had alluded, he would find, that there was not a man in that House, in the country, or in the world, who held in higher estimation than that noble person did, the liberties of the people of England. [a laugh, and cries of hear, hear!] This might extract a smile and a laugh from lawyers; it might excite cries of "hear, hear," from civilians; but it would not elicit a smile and a laugh from those who knew that noble lord—who acknowledged the advantages the country had derived from his talents, and were acquainted with his constitutional principles, which were not only duly appreciated in this island, but were perfectly understood all over the world. He admitted, that he ought not to have suffered the observations made on the other side of the House to have occasioned any warmth of feeling in expressing the few words with which he meant to trouble them. As to what the hon. baronet asserted, namely, that the noble lord had treated county meetings disrespectfully, he felt perfectly convinced, that that noble person never had it in his contemplation to state, and never did state, any thing that was disrespectful of county meetings. He was confident, that that noble lord never uttered a word that could be considered disrespectful to the freeholders. What his noble relation had said, was, that a meeting had taken place, so irregular and tumultuous, that no impartial discussion could be obtained—that only one side was heard, and that it could not, therefore, be deemed a fair and regular county meeting. His noble relation, not being in the habit of weighing words—not being a regular practised public speaker had used the term "farce," which was afterwards taken up with so much warmth. But he was quite sure, that he never had said any thing unconstitutional, or tending to trench on the liberty of the subject—taking that phrase even in its broadest sense. He was quite satisfied, that when the hon. baronet was better acquainted with the character of that noble person than he now appeared to be, he would lament the way in which he had taken this business up. He was never more mistaken in the character of any individual than he was in that of the noble lord, if he supposed, that he could have said or done any thing hostile to the liberty of the subject.

Sir *W. De Crespigny* said, that until he came into that House, he knew not a syllable of the proceeding in question, and therefore the right hon. gentleman could not correctly state that he had alluded to any thing which occurred in the House of Lords. In fact, he only heard that the words were made use of by the noble person referred to, unaccompanied with any statement of the place in which they were uttered.

Mr. *Baring* said, that the right hon. gentleman had undoubtedly misrepresented the Hampshire meeting.

Mr. *W. Pole* said, he had not uttered a word about that meeting. He had stated, that the noble lord spoke of a tumultous meeting; but he had not mentioned where it was held.

Mr. *Baring* said, it appeared to him, that the right hon. gentleman must have meant that meeting or none, and he felt himself called on to vindicate the character of the meeting from the injurious assertion which, it seemed, had been cast on it by other persons. He would not say one word about the expression made use of by a noble lord, in another place. He respected that noble person, and was perfectly sensible of the great obligations which the country owed to him. He never heard his name mentioned, or reflected on his character, without experiencing feelings of pride and satisfaction. He would not, therefore, censure him for any unguarded expression, uttered in the heat of the moment. He possessed great talents in one line, and had, by their exercise, done his country most important services; but he was not at all in the habit of public speaking, and, therefore, an unadvised expression might fairly be excused. It was said, that this was an extremely tumultuous meeting, and that it was impossible for a gentleman, speaking in opposition to the sentiments contained in the petition, to obtain a hearing. Now, in contradiction to that, he would appeal to the hon. member for the county (Mr. Fleming), who had a fair opportunity of trying the patience of the meeting, and who did try it in such a manner as, he believed, was never attempted before; for, on a subject which agitated the country from one end to the other, no address was ever delivered at a public meeting more likely to provoke angry discussion than that of the hon. member; and yet, there was not a syllable of that speech which was not heard and patiently attended to. He thought, therefore, that the same testimony would be borne to the regularity nd good conduct of the meeting by the hon. member, as he was prepared to give. If he contrasted the proceedings of that peaceable meeting with the riot and uproar occasioned by the exclusive loyalists in the city of London a few days since, the hon. member would certainly see nothing to complain of. The hon. member had said, that the great proprietors, the men of rank and consequence in the county, were absent from that meeting, and therefore, that it did not speak the sense of the county. He regretted that the system should prevail, of men of rank and property absenting themselves from county meetings and meetings of the people at large. He was quite sure, that it was not the best mode of conciliating the affections of the people, to make those nice distinctions between the higher, the middle, and the lower ranks of society; and he thought the hon. member was not pursuing a course calculated to produce peace, good order, and kindly feeling in the country, by making such observations.

Mr. *Fleming* was sorry that any thing he should have said on the occasion in question was provoking. He thought the meeting was convened for public discussion, and what he had said he believed to have been perfectly fair.

Lord *Belgrave* presented a petition from the city of Chester, which the noble lord stated, had, in the course of a very few days, been signed by 1,500 persons. It complained of the various existing grievances connected with the present system of government; and expressed the astonishment of the petitioners, that as the accusation against her majesty was withdrawn, her majesty's name had not been re-introduced into the Liturgy; and their hope that the House would interfere for that purpose. He observed, that a strong instance of the violence of those who were opposed to the wishes of the petitioners was afforded by the fact, that as some of the petitioners were about to sign the petition, it was forcibly torn from their hands.

Sir *T. Acland* presented a petition, numerously and respectably signed, to the number of 1,250 persons, from Dartmouth and its vicinity, deploring the omission of her majesty's name in the Liturgy, as tending to occasion endless differences, and heart-burnings in society, regretting that the people, who were taught to pray for all Jews, Turks, Infidels, and Heretics, were prevented from joining in prayer for her majesty; and hoping, that the House would deliberate for the purpose of procuring the restoration of her majesty's name to the Liturgy, and of securing her from further oppression.

Lord *John Russell* observed, that as he and his colleague had been requested to support the prayer of the petition whenever it was presented, he now rose for the purpose of doing so; and he would say, that for his own part, he was prepared to vote for any measure which might be proposed, for the re-insertion of her majesty's name in the Liturgy. He could conceive, that many persons might be alarmed by the appearance of men armed with clubs and carrying stones, or by large and turbulent meetings, or by the circulation of seditious and blasphemous libels; but he could not conceive how any man could be alarmed by the restoration of her majesty's name to the Liturgy, especially as the peace of the country seemed to require it. The House would no doubt recollect what had been the conduct of ministers with regard to the property tax: they had retained it in their grasp as long as they could; but, after the House had expressed its opinion upon the impolicy of it, they had made a merit of giving it up to its wishes. He had therefore, no doubt, that if the House were to advise the insertion of her majesty's name in the Liturgy, ministers would comply with its advice, and would come down to the House to-morrow evening with a gazette in their pockets, containing an order in council to that effect.

Mr. *W. Smith* presented a petition from certain inhabitants of the city of Norwich, which he declared to be perfectly respectful and constitutional in all its language. The petition prayed for the restoration of the Queen's name to the Liturgy, for the dismissal of ministers, and for a reform of the Commons House of parliament. It contained the uninfluenced sentiments of many inhabitants of Norwich, who were no less distinguished for their talent than for their integrity. It was signed by 4,500 individuals in a few days, over whose mind no interest or influence had been exercised by any person whatsoever.

COMMITTEE OF SUPPLY.]—On the order of the day for going into a Committee of Supply, the Chancellor of the Exchequer moved, that the Speaker do leave the Chair.

Mr. *Creevey* said, he would not detain the House, at any length, from the important question about to be brought forward, but begged to call their attention, for a few moments to the motion now made. This was the first stage of an annual parliamentary process, called a Committee of Supply; a process by which, once or twice every week, hundreds of thousands on hundreds of thousands, and millions on millions, of the public money, were voted in that House, in the presence of not more than a dozen persons, exclusively of the ministers of the Crown. He hoped, however, that things would now go on better. The public seemed to have taken a noble attitude; by their efforts, they had prevented her majesty from being overborne by superior power—they had prevented the laws and the constitution from being subverted by the ministers of the Crown. He trusted they would now turn their attention to the protection of their own property in that House. He did not know whether it was true, that an illustrious individual had declared that a public meeting in this country was a farce. If it was true that such an expression had been used, he would say of it, that it was not a British sentiment, but must have been imported from Troppau; the royal politicians assembled at which place, no doubt, thought every thing a farce but their own plans of conquest and tyranny. A farce! If he wished for a farce, recommend him to a Committee of Supply. Some years ago a dissection was made of the component parts of the House of Commons, by which it appeared that 72 members of that House had the good fortune to enjoy among them, about 170,000*l.* a year, out of the taxes. Now these 72 gentlemen, or some of them, were the gentlemen who generally formed a committee of supply: they, and very few else, voted away all the money of the country. He should, in the course of the session, move for certain documents by which another and a new dissection of the House of Commons would be laid open to the country. He trusted, that the public would support him in an alteration which he aimed at effecting in committees of supply. As affairs were managed at present, he was not surprised at independent men not attending on these committees; neither did he blame them for their absence from them, as the estimates were so complicated, and so overloaded with items, as to be perfectly unintelligible. He hoped that the public would attend closely to this matter; for, if they did, they would either make their representatives mend their manners, or would be compelled to speak to them in a language which could not be misunderstood.

The House resolved itself in the said committee, in which, the Chancellor of the Exchequer moved, "that a supply be granted to his Majesty." The motion was agreed to, and the House resumed.

MOTION RESPECTING THE OMISSION OF THE QUEEN'S NAME IN THE LITURGY.]—Lord *Archibald Hamilton* rose to make his promised motion. He said, he was sure he had never risen in that House on any occasion when it was more necessary for him, than it was at present, to experience their candour and indulgence, both with reference to himself individually, and to the subject which he was about to bring under their consideration. It would certainly be superfluous on his part, after the numerous petitions which had that day been laid on the table, to insist either on the inherent importance of the question which the House were now called upon to discuss, or on the intense interest which the people at large took in that question. He hoped, that any deficiency on his part would be considered as made up by the number of petitions laid upon their table, of which there was not one, at all connected with the Queen's case, that did not either beseech the House to restore her name to the Liturgy, or express some disapprobation of its removal from it. These petitions, which were a sure mark of the direction in which public opinion was running, would, he trusted, be considered as adding some weight to his arguments, and would induce the House to listen, if not to him, at least to public opinion, of which, in this instance, he should be the organ. One of the first impressions created by the subject which he was introducing to their notice, was, the general ferment and irritation excited throughout the country since the commencement of the late melancholy proceedings—a ferment which had not only reached that House, and prevented it from transacting the ordinary business of the nation, but had extended itself from one corner of the kingdom to the other, and had interfered with all the usual occupations of its inhabitants. With regard to himself he had only one observation to make. He had no doubt, standing in the place in which he stood, and speaking on the subject on which he spoke, that the noble lord and the right hon. gentleman opposite (and perhaps it was an imputation in which some other members might be induced to join) would assert, that he addressed himself to this subject as a party question, and that he had no object in agitating it but a party object. Once for all, he protested against any such inference. He felt himself to be upon firm ground when he repelled it. He begged the House would recollect his former conduct on this subject. He did not wait to know what the public opinion would be; but when her majesty was first insulted by ministers, when her very name was not introduced by them into their speeches, but when they spoke of her by circumlocution, he stood up in his place in that House, and asserted her Majesty's inalienable and incontestible rights, unconnected with any regard to the feelings or opinions of his party. He now declared, that, whatever the result should be, no man would regret more than himself if the question should not undergo a grave, calm, and dispassionate consideration. When however, the noble lord and the right hon. gentleman opposite called the present a cold, legal, and unconstitutional question, he could not refrain from asking whether, in the mode in which the name of this injured and illustrious woman was first struck from the Liturgy—whether, in the motive in which that act had originated—and whether, in the conduct that had followed, there was any thing which shewed that they considered the question to be a cold, legal, and constitutional one? On the contrary, did not the whole of the proceedings exhibit a disposition to inflict every description of insult, injury, and injustice on the individual, and to excite and irritate the country at large? It was on these grounds, and on these grounds alone, that he was induced to make his present motion, and not from any motives of a party nature.

He begged to be allowed to advert to one other point with respect to himself. It must be in the recollection of the House, that when the hon. member for Bramber (Mr. Wilberforce) made that motion which had occupied so large a portion of the interests and time of the House in the last session, he (lord A. Hamilton) had stood up in his place, and made a speech, which he concluded by an amendment alluding to the very omission of which he now complained.* And he now asked the House if they did not think, if the amendment which he had proposed on that occasion had been adopted, and if his majesty's ministers had then retraced their steps—if they had replaced her majesty's name in the Liturgy—much, if not all of the ferment and irritation which had been excited, would have been avoided, and this House, the Crown, and the country, would have found themselves in a much more favourable situation than that in which they were now placed? In saying this, he must again beg, that party motives might not be imputed to him, although he by no means wished to disclaim fair and open political hostility towards the noble lord and the right hon. gentleman opposite.

There was one other preliminary observation which he wished to make, although, perhaps, it was unnecessary. It was this—that in bringing forward his present motion, and in the ample discussion which such a proposition as the restoration of her majesty's name to the Liturgy was calculated to occasion, he should consider the subject as one with reference to which ministers were as fairly responsible, and which was as unconnected with any thing personal to the Crown itself, as any subject whatever that could possibly be submitted to the deliberations of parliament. He considered the sound constitutional doctrine to be, that whatever subject was fit to be discussed in that House, was a subject on which ministers, and ministers only, were responsible; and that no one had a right to introduce any subject into that House which was not bottomed on their responsibility. He felt himself, therefore, to be in no way liable to the imputation of introducing topics personal to the Crown; because the subject was one on which ministers solely were responsible.

He now came to the case itself. The first observation which he should make was, that he was not in possession of the course which his majesty's ministers meant to pursue with respect to her majesty. He should be glad to learn what that course was. It must be evident to every one, that matters could not rest where they were. It was not possible, that her majesty, the Queen, could exist in this country in the situation in which she was now placed, merely with (and the noble lord had intimated, that it was the only proposition which he had it in contemplation to make) an addition of some nature to her pecuniary means. If nothing were done to allay the feelings so powerfully excited throughout the empire; if nothing were done of substantial justice towards her majesty; if nothing were done to prevent those effusions from the press on both sides, so generally and extensively mischievous, it was difficult to say what the consequences might be. With reference to the last subject which he had mentioned, he begged not to be understood as suggesting any restraint on the press. What he recommended was, that the cause of the present intemperance of the press should be removed—a cause which his majesty's ministers had as much reason to be ashamed of, as the country, at large, had to deplore. What had been the foundation of all these calamitous events? If there was one thing more than another in that concatenation of causes—for it was not a single cause which had operated to plunge us into our present condition—but if there was one cause more than another, which had wrought upon the public mind, and brought it to its present state of excitement, it was that unjust, that impolitic, that oppressive, that unconstitutional measure which was the subject of his motion. Now, he wished to ask, if the House should

---

[*] See Vol. 1, p. 1259.

not think fit to express their opinion that his majesty's ministers had done wrong in omitting her majesty's name in the Liturgy—he wished to ask, either the right hon. gentlemen opposite, or the House itself, what measure could be suggested so likely to calm that irritation which the injustice done to her majesty had produced in the country?

After the notice of a motion which had, the other night, been given by his noble friend behind him (the marquis of Tavistock), he wished to confine himself as much as possible to the question of the omission of her majesty's name in the Liturgy; because he understood, that that motion would afford a more ample opportunity for entering at large into the consideration of all the extraordinary proceedings connected with the subject. But it was impossible for him, or any other man in the House, to contemplate those proceedings, and the consequences with which the country had been visited, without feeling the utmost disgust and indignation at ministers, who, by their conduct, had put, and for six months had kept, the whole population of the empire in a state of continual ferment and agitation. The proceedings of his majesty's ministers had been not only most unwise, unjust, oppressive, and impolitic towards her majesty, but they had been—to use the only word which could sufficiently express and was appropriate to their most mischievous character—absolutely revolutionary in their nature [hear, hear!]. Since he had had the honour of a seat in that House, in all the efforts of reformers or radicals, in all the exhibitions of violence which he had witnessed within or without those walls, he was not aware of a single proceeding so truly revolutionary in its tendency as were the proceedings of his majesty's ministers with reference to the important subject under discussion.

In order to state the grounds on which he called upon the House to come to the resolution with which he should conclude, on the injustice and inexpediency of the step which ministers had taken, it would be necessary for him to call upon honourable gentlemen to consider well the situation of her majesty at the time her name was excluded from the Liturgy; because he unfortunately perceived, during the discussion of a former night, that some members allowed subsequent irritation to have a retrospective effect—as if the supposed misconduct of her majesty, after the act was done by the exclusion of her name, ought to operate against her, and that ministers ought to be allowed to punish the Queen beforehand for imaginary crimes recently committed. When he heard a worthy alderman (Heygate) the other night, deprecate the omission of her majesty's name from the Liturgy, but at the same time appeal to her Letter to the King, and to her answers to addresses, as a reason for approving of the continuance of that original act of injustice, he could not but ask the House what such a proceeding was, but trying the Queen for one offence, and punishing her for another [Cheers.] Her majesty's name was excluded from the Liturgy at a time when she had a right to expect very different treatment; and he now called upon the House to do justice on the other hand, by applying to her majesty's case, the subsequent injustice she had endured, and the irritation to which she had been exposed. The principle on which a contrary practice proceeded, had been admirably well illustrated on a former night, when it was said, that it could be resembled only to the proceedings of the Inquisition, where words extorted from an unhappy and innocent sufferer, under the infliction of the rack, were taken as undubitable confessions and depositions of guilt. Hoping that this House, even as at present constituted, would be too just to imitate such a course, he would proceed to state what he conceived to be the situation of her majesty, at the time her name was struck out of the Liturgy; because he wished the House to understand, that he thought such a proceeding, on the part of ministers, not only impolitic and oppressive, not only illegal and unconstitutional, but an act of the grossest injustice towards a person already grievously wronged and injured, and whose wrongs and injuries need not have come before the House, or been exposed to discussion in the forum of the public. At the time when the prayers of the people were first refused to her, her majesty was without any home, without any state in the country. The law had deceived her; for by the laws of the land she stood the undisputed Queen of England. As Queen, and as a woman in domestic life, she was left equally destitute. She was a wife, but she had no husband. She had no station. She left this country after having received many insults, with a letter of licence to author-rise and to justify whatever line of conduct she might think fit to pursue. She was followed by spies; her very servants were corrupted—she was persecuted in every way, and by all the acts of diplomacy—she could go to no place where there was a British minister, that she was not sure to meet with insult and contumely. She met with no protection. Under such circumstances, considering the treatment which her majesty had received, considering the insults that were heaped upon her; above all, bearing in mind the letter of licence, would the House place itself in the moral chair?—Would it affect to be shocked and outraged, even if guilt were brought home to the door of the Queen—to the door of a woman who had a letter of licence from her husband [Hear, hear!]? If all that her accusers imputed to her were true, which he believed to be false, for he believed her majesty to be innocent; still, if all that had been imputed to her were true, the manner in which she had been authorised in the first instance, and afterwards pursued and watched and persecuted, while her servants were instigated, seduced, and corrupted, absolutely precluded any fair or reasonable man from bringing forward an accusation. This was not all: had she not undergone a severe trial, on a grave charge, in this country, and upon which she had been fully acquitted? Had she then, he would ask, received any thing like fair play? On the contrary, he should say, that whatever might have been the result of the trial she had undergone, the Queen had been first grievously wronged, and provoked into the commission of the crime recently imputed. [No, no, hear!] He would repeat, that her majesty had been provoked, deliberately provoked, into the commission of offence; if any offence she had committed.

With respect to the legal part of the subject he would offer but a very few words; he would ask the noble lord and the right hon. gentleman opposite, to state distinctly, if they could, the reason, why her majesty's name had been originally excluded from the Liturgy. He asked that simple question, and he expected a plain and satisfactory answer. It was said, that there were at the time very heavy charges against the Queen; but he would ask if those charges had been proved? If they had not been proved, why was not the name of her majesty reinstated in the Liturgy?—if they had been proved, why did not her accusers proceed to some judgment against her? The fact was, that ministers had neither thought proper to consider her guilty or innocent; and as they had been influenced by a vague mixture of hope and fear, she had been treated with a vague mixture of justice and injustice.—In reference to the point of legality, it was necessary to refer to the original order in council, under which, the change in the Liturgy had been made. It set out with stating, that "Whereas in the Act of Uniformity which establishes the Liturgy of the Church of England; provision is made for such alterations in the prayers for the royal family, as from time to time shall become necessary." Before he proceeded further, he denied that to be a fair statement. No such provision was made: no power was given to alter the prayers, but merely to change the names. Alteration in the prayers would consist of a substitution of words, and a change perhaps of substance and meaning; but alteration of names could extend to nothing else but the names mentioned in the Liturgy. He knew not, whether the law officers of the Crown meant to found any thing upon it; but he asserted, that the order in council was not conformable to the statute, which applied merely to the alteration of names, and not of prayers. Upon what authority then, but their own, did ministers found the violent change they had directed? If any thing more were wanted to confirm the opinion he had hazarded, it would be supplied by the concluding words of the sentence, "and be directed by lawful authority." If the act meant to give a licence to change sentences and expressions, would it not have been differently expressed? If such a prerogative were to be conferred on the Crown, why was not the statute express in the terms it employed? it was framed by men of learning and acuteness in that day, who would not have been guilty of an omission so important. The sole authority cited in the order in council was the Act of Uniformity. Another observation here occurred: by that order no more authority was given to pray for George the Fourth than to pray for the Queen. It might indeed, be said, on the other side, that the king never dies, and therefore it was needless; but the reply was at least as obvious, that the accession of George the Fourth made the Queen Consort; and if the order had said nothing but about omitting the names of the prince and princess of Wales, he would ask, whether, as a matter of course, the Queen would not have been prayed for? In the next place, he should wish the other side to state, to what extent they contended, that the Act of Uniformity gave them authority. He should be glad to know, whether they meant to go so far as to insist, that the king might alter the prayers of the church from mere caprice? If any such doctrine were advanced, he was sure that it would not want instant refutation.

One other suggestion he would offer. Was it ever contended—could it ever be contended, not only that this statute gave the king authority to alter the prayers as his caprice might dictate, but actually to render the Liturgy a sort of penal power, amounting to the actual degradation of his Queen? [Hear.] He was not now to be told, that this was merely a legal or constitutional question. Such an attempt had been made and had failed: because the omission was used for the express purpose of degrading and insulting the Queen. Would ministers, with the advice of their high law authorities, go the length of asserting, that the framers of the act meant to give the power of degradation as a punishment? It was impossible: so that whether the question were looked at as a matter of law or justice, the House could arrive at but one conclusion—that ministers had done an illegal act, and inflicted a severe wrong in excluding her majesty. One more observation on this part of the subject, and he would conclude it. He did not mean in any way to question the legal authority of the King; but he was certainly much surprised to find, not only the head of the church, but the head of the law, presiding at the council where this illegal order was made. It might be presumptuous in him to question the proceedings of such high authorities; but they had done one thing that was either illegal or wholly nugatory. This self-same order had been sent to Scotland, where, in matters of this kind, ministers had no jurisdiction. He spoke in the presence of the Lord Advocate; but still he would assert, either that the order there was a dead letter, or a nugatory piece of nonsense, or it was a direct violation of the law. What had been the consequence? The order had been in Scotland what it ought to have been in England, mere waste paper. It might not then be too presumptuous for him to add, that as the conduct of government had been clearly illegal with regard to one part of the kingdom, it might be suspected, that it was not completely legal with regard to another.

Now, though it was not very material to notice all the names which were attached to that order in council, yet there was one name, which from the extraordinary circumstances with which it was connected, he felt in some measure obliged to revert to. He alluded to the name of Mr. Canning. Nothing could be more disagreeable to him than to speak harshly of any individual in his absence; but he must say, that it was of that absence that he now had to complain. Common report gave out, that that right hon. gentleman had differed with his late colleagues. If this were the fact (but of the truth of which he was ignorant), he would ask, whether it was too much to expect, that he should have been in his place, to have stated the grounds of that difference? If Mr. Canning could profess in his place, as he had done last session, an undiminished regard and affection for her majesty; if he could tell the country, that he for one would not be her accuser; surely, if his resignation proceeded upon principle, as he wished it to be understood, it was not too much to expect, when the interests of the Queen whom he so loved and so revered were at stake, that he should have remained in England only a few days longer, when his presence might have been of such essential service. That right hon. gentleman had subjected himself to animadversion by the line of conduct he had pursued, and on this account, he (lord A. Hamilton) felt himself called upon to say, that he was at a loss to discover on what principle, if any, he had vacated his office and differed with ministers. His name was appended to the order in council; he had kept his station in the cabinet during the whole of the proceedings; and at the close, when his opinion and support might have been of so much benefit, he abandoned his former coadjutors and retired from the kingdom. He did not pretend to say what might be other men's notions of duty; but if he (lord A. Hamilton) had retired from office, because he thought ministers had acted improperly towards the Queen, he hoped he should have had the justice and resolution to have stood his ground. As it was, the right hon. gentleman had left it in doubt, whether he differed from his late friends, in what particulars, and to what extent. If he agreed with ministers, he owed it to his friends not to desert them in their utmost need; and if he differed from them, he owed it to his Queen to state fairly, openly, and manfully, the grounds of that discordance.

Having thus far gone through the subject, perhaps it might be fair now, to state the nature of the resolution with which he should conclude; it would be to this effect, that the order by which her majesty's name was excluded from the Liturgy, was ill-advised and inexpedient. It was not however, to be supposed, that he limited his object and intention to that only: no; justice required, the interests of the country required, not merely that ministers should receive censure from the House for having done wrong, but that they should be supplied with a stimulus to do right; and right could not be done without replacing the name of the Queen in the situation from which it had been improperly removed. In order to induce the House to proceed thus far with the subject though he did not mean to conclude with a vote to that extent—[Hear, hear, from lord Castlereagh]. He was somewhat surprised by the cheers of the noble lord; the noble lord and his friends would find employment enough to get rid of the motion now pending, without inviting others; and the whole subject, at no very distant day, would be before the House. Was it not, however, more natural and parliamentary, in the first instance, to notice what had been done? If he had now attempted more—if he had proposed an address to the King to restore the Queen's name to the Liturgy, he was convinced, that he should have been taunted with having proposed, what was personally offensive to the sovereign, and more than the necessity of the case required. But at all events, be that as it might, he certainly did not conceive that he was bound to receive his tactics from the enemy [a laugh]. They all knew, that the proceeding against her majesty was sanctioned by a vote of the House of Lords; but they also knew, that no sooner did the measure receive that sanction than it was abandoned. Now, the question he would ask was, whether ministers intended to inforce that vote? What effect, he would ask, did ministers intend to give to that judgment, if judgment it might be called? If they considered it a vote or a verdict, which was effective, why recede from it? why abandon it the instant it was pronounced? And if they did not consider it so, why did they persevere in the persecution of her majesty [Hear, hear!]? Why not restore her to her rights? Why not replace her name in the Liturgy? He could not be aware of what their views or intentions were, but he hoped they would explain themselves; he hoped they would say, whether they considered it as a verdict, vote, or judgment, on which they intended to act. He hoped ministers would relieve the House and the country from further discussion on this painful subject. He regretted, that he trespassed so long upon the patience of the House, but when he took upon him the duty of bringing forward so important a question, he was not to consider himself, nor indeed the length of time which he consumed. To him it appeared evident, that the striking the name of her majesty out of the Liturgy was a proceeding most injurious—injurious alike to the Crown and to the country. Why, he asked, were the people ordered to pray for the members of the royal family? Was it because of their extraordinary merits—for any peculiar virtues which distinguished them in private life? No; they were not prayed for in consequence of any personal qualifications, but simply because of their station. He would beg of the House to reflect on the consequences of excluding her majesty's name from the Liturgy—he would beg of them to consider how far that principle might be carried. If the House once established an example of that kind, he would beg of them to reflect how far it might be followed, not by that House, but by the public. Were ministers disposed to stigmatise the royal family, they might injure the Queen in the first instance, they might wound her feelings; but the measure would prove them to be short-sighted as well as unjust. The Queen would be exposed to the first shock; but the whole of the royal family would be exposed. Ministers talked of the public danger—they affected to lament the public discontent—they talked loudly of blasphemy, sedition, and irreligion; but, was there any mode that could be adopted more likely to injure religion and to degrade royalty, than the one which ministers seemed to pursue? Towards the interests of religion and the throne, of the country, and of the royal family, he considered their proceeding equally injurious. He would again ask, did ministers mean to rely upon the judgment of the House of Lords? If they did, he would just beg of the House to apply the principle to a sentence pronounced in a court of law; and then they could see how ridiculous it would appear. If it were the decision of judges, and if, the moment that such decision was declared by the majority, it was abandoned, the cause would have been given up, and the whole proceeding would necessarily fall to the ground. When the noble lord declared, that ministers did not intend to take any new measures against her majesty—when he said, that they did not intend to do more against her, they took credit for what they were not entitled to receive. The fact was, they could do no more against her. He gave them—the country gave them—no credit for kindness or forbearance; they carried their persecution as far as they could. If they should determine to exclude her majesty's name from the Liturgy without granting any kind of equivalent (indeed, he knew of no equivalent they could grant), he would call on the House, to consider what a situation the Queen of England would be placed in. The hon. and learned gentleman opposite (the Attorney General) might, perhaps, have learned something of the foul, odious, disgusting, and abominable attacks which were daily made upon her majesty, by that part of the press which was supposed to be under the patronage of ministers—would they encourage those attacks? If they allowed every person who wished to curry favour with men in power to libel the Queen Consort, they might depend upon it, that they would take the very best means to degrade the throne, and to expose every member of the royal family to the foulest imputations. If they were determined to leave the Queen in the situation in which she stood, they would leave the country in a state of excitation—they would leave the royal family exposed to a deluge of aspersions, and the country exposed to danger.

He would ask, had ministers any remedy to propose? The noble lord opposite said, he had none but an allowance. If he had no proposal to make, but to continue her majesty's allowance, to use the words of a gallant general (Sir R. Wilson) they would see disunion and discord and the most implacable enmities pervade the land. Perhaps, indeed, he did not go so far as the gallant general, but this he would say, that the people would look upon the treatment of the Queen as unjust and cruel. The people had early discovered, that her majesty was a persecuted woman—they supported her cause, and would continue to do so, whilst she had wrongs to complain of. He would ask ministers how long they intended to keep the country in a state of inflammation? The interests of the nation were neglected, commerce and agriculture were suffered to go to decay—six months of the public time had been already consumed on this painful subject, to the utter exclusion of all other considerations—the functions of the legislature were suspended—the House of Commons seemed as if it did not participate in the common feelings of the nation—as if it felt no wish to attend to the general interests, although they knew, that the greatest distress and embarrassment prevailed; surely they would not overlook the sufferings of the people in the present session, as they had done at the end of the last, merely because his majesty's ministers, unfortunately for themselves, and still more unfortunately for the country, had got into a scrape from which they could not extricate themselves. How they had got into the scrape he knew not; but he believed the noble lord and his colleagues to be men too wise and too honourable to have instituted these proceedings willingly, and at their own instance. The current opinion was (whether well founded or not he could not say), that they had unfortunately given a pledge, in an evil hour, that if the Queen should set her foot in this country, some proceedings should be commenced against her; they being persuaded at the time, that her Majesty never would return. They had thus become responsible for a proceeding, which he believed, they had not advised, but which had been involuntarily forced upon them. This was a line of conduct, on the part of the administration, which it was the duty of that House to deprecate; for there was, at once, an end of all the good which the country ought to derive from the government, if it was not to have the benefit of the talents of ministers, however small—and certainly the present administration possessed no great portion of talent—and if ministers were to come forward as the advocates of a measure which they had not advised, but which they had an interest in supporting.—Unless ministers meant to contend, that the vote of the House of Lords was a real and effective judgment, he maintained, that they had done wrong, not only in the first instance by omitting her majesty's name in the Liturgy; but by their subsequently persevering in that exclusion.—But the principal point on which he insisted was, that until ministers took measures to tranquillize the country, or rather, until the House took that care into their own hands, discord and confusion would continue to pervade the kingdom, from one end of it to the other. The noble lord concluded by moving,

"That the Order of Council of the 12th February 1820, under which, the name of Her Majesty, Caroline, Queen Consort, has been omitted in the Liturgy, and the accustomed Prayers of the Church, appears to this House to have been a measure ill advised and inexpedient."

Mr. *Charles Ellis* said, it was not his intention, when he came down to the House, to take any part in the debate of this night; but he was sure, the House would think with him, that the observations of his noble friend—if he might be permitted so to call him—with respect to the resignation of a right hon. friend of his (Mr. Canning) called for some remarks in reply. That he should have taken upon himself the task of vindicating the conduct of his right hon. friend required, he owned, some apology both to the House and to some of his own friends, who were far more able to execute the task. But he rose, rather to deprecate any such course, and to entreat the friends of his right hon. friend to exercise their forbearance, whatever charges or insinuation of charges might be made against him, by the noble lord, or by any other member. His right hon. friend, on the first agitation of this question, had taken the earliest opportunity of avowing to the House, his determination to take no part whatever in any proceedings against her majesty. From the moment that the hope of an amicable adjustment failed, his right hon. friend had abstained from all interference. He was absent from the country during the whole of the proceedings in the other House of parliament, and did not return till after the bill of Pains and Penalties had been withdrawn. On viewing the state of those proceedings on his return, he felt convinced, that the course which he had pursued before, was no longer compatible with the station he held, and there appeared to him no other alternative than to surrender his office. Having thus purchased the right of acting conformably to the resolution which he had at first announced, he again absented himself till the conclusion of this calamitous affair. Such was the course which his right hon. friend had thought it his duty to pursue; and it was not his intention to offer any remarks on the propriety of his conduct, or to mix up his right hon. friend with proceedings, from all participation in which it was his desire to abstain. He should therefore, confine himself, to what had been said by the noble lord, as to his right hon. friend's concurrence in the omission of her majesty's name in the Liturgy. His right hon. friend, in a speech which could hardly yet be erased from the recollection of the House, had stated the reasons which appeared to him to justify that measure. He should not, therefore, do his right hon. friend the injustice of weakening, by any remarks of his own, the arguments which he had then urged with such force and effect; and he would therefore, only state, that his right hon. friend, in retiring from office, did not wish, in the slightest degree, to withdraw himself from any share of the responsibility that might attach to his colleagues on account of that measure. With respect to the curiosity which the noble lord had mentioned, as to the degree in which he and his colleagues might have differed, he begged, that the noble lord would satisfy himself with waiting for the return of his right hon. friend. Thus far he trusted he might say, without any breach of confidence, that on all the great questions of external and internal policy, his right hon. friend cordially concurred with his late colleagues. He hoped he should not be so far misapprehended as to be supposed to disapprove of what the noble lord had said. It was not the intention of his right hon. friend to shrink from a justification of any part of his conduct. If any honourable gentlemen had charges to prefer, his right hon. friend would be found, not only to be ready, but he might be bold to say, able to answer them. It was necessarily in their sense of propriety, what was the fit time of bringing them forward—whether they should make the attack in his right hon. friend's absence, or delay it till his return. He did not deprecate any such attacks, or claim for his right hon. friend any courtesy; but he begged the House to call to mind, the manner in which his right hon. friend had repelled other accusations, when they had been brought forward as substantive charges. He begged them also, not to lose sight of the consideration, that the line of conduct which his right hon. friend had felt it to be his duty to pursue, could not have been dictated by an attachment to office on the one hand, or by the ambition of conciliating popular feeling on the other. It was dictated alone by a strong and conscientious sense of the conflicting duties which he owed to the illustrious persons whose unfortunate variance had distracted the country.

Mr. *Robinson*, in rising to reply to the speech with which the noble lord had introduced his motion, begged to say, in the first place, that it contained one sentiment with which he entirely concurred. That sentiment, the noble lord had expressed in plain terms, in the beginning of his speech, although he had thought proper to qualify it towards the conclusion: it was, that his Majesty's ministers, and they alone, ought in this case to be the responsible persons. The noble lord had intimated to the House, that ministers, in the advice which they gave to the Crown, had been actuated by motives which did not leave them the exercise of their own judgment. Whatever might have induced the noble lord to make the supposition, he (Mr. Robinson) could not consent to take any advantage from such an admission; for the advice was given by his majesty's ministers, and by the legality and expediency of that advice they were ready to stand or fall. When he considered the language in which the noble lord had characterized this act—when he heard it called an illegal proceeding—an insult to the sovereign—an injury and a disgrace to the country, and a measure for which the noble lord had no milder epithet than revolutionary—it would be base in ministers—it would be the height of meanness, not to avow their responsibility. Before he proceeded to make any observations on the motion of the noble lord, and on the arguments that had been used in support of it, he would advert to the circumstance which had led to the alleged offence. The noble lord had not argued at great length in support of the opinion which he had expressed as to the illegality of the measure; and he apprehended, that such an argument, if he himself were to enter into it, would not be very satisfactory to the House, or very likely to lead to a just conclusion. He said, however, that his majesty's ministers, neither at the time they gave that advice, nor at present, entertained the slightest doubt of its legality; nor could he now conceive on what grounds it was contended, that that advice was not consistent with law. If the act were imperative on the Crown, in all circumstances, with respect to the insertion of the Queen Consort's name in the Liturgy, it was equally imperative with regard to the names of all the royal progeny. [Cries of "No, no," from the Opposition]. In the terms of this clause he could not find one word that separated the name of the Queen from that of the royal progeny. In many cases, however, the names of the royal progeny had not been inserted; and therefore, with respect to them, the act had never been imperative on the Crown; and since he could find no distinction made in the act between them and the Queen, he could not see why it should be imperative in the one case more than the other. He felt that he could not argue this point in a satisfactory manner; but he would repeat, that ministers did not believe then, nor did they now believe, that there was any illegality in the omission.—Let the House look at the situation in which the question stood when ministers took their determination. Her majesty was living, and had long been living in a state of separation from her royal consort; during the time she had been princess of Wales, her separation had been authorised by his late majesty, and had been recognized, and in some degree sanctioned, by acts of parliament. Her majesty was residing abroad, and it was at that moment that propositions were made, which it was hoped, would terminate by arrangements, for her majesty continuing abroad, and ceasing to assume the style and title of Queen [Hear, hear! from the Opposition Benches]. At the time of making that proposition, ministers had abundant reason to believe it would be acceded to. If, therefore, with the prospect of such an arrangement, they had inserted her majesty's name in the Liturgy, they would have been guilty of an absurdity; since they would have invested her with that style and title, which it was proposed, that she should not assume. Under these circumstances, it would have been a most extraordinary proceeding indeed, to have advised the King to begin by conferring on the Queen that mark of honour and respect, which the insertion of her name in the Liturgy would convey. He thought the course which ministers had taken was the strongest proof that they were sincerely convinced of its legality. With the prospect of being compelled to make that charge which they had brought against her majesty, and having in their power the means of making that charge—[cries of "Hear, hear," from the Opposition.] He was unavoidably obliged to allude to that proceeding, though he was not called on at present to justify it. What he wished to observe was, that with the prospect of bringing this charge against her majesty, ministers would not have been warranted in advising the insertion of her name in the Liturgy. If they had done that, they must have gone a great deal farther, and advised the king to place her majesty, in all respects, in the same situation as if there had been no imputation against her. Many persons, he believed, were of opinion that her majesty should have been so placed; but there were others, he also believed, who were not disposed to recommend that course. There was a third class, who, like the first, recommended that her majesty should be treated with all external marks of respect; that she should have a palace and every other royal accommodation; but that she should be treated with coldness, and discountenanced by the court. Now, he had no hesitation in saying, that to have placed her in such a situation, and at the same time to have said, "Oh, do'nt go near her—pay her no respect," would have been the greatest violation of the principles of honour on which ministers had acted.—But it had been said, that ministers had insulted their Queen, betrayed their King, and brought their country to the verge of revolution. And what was the motion of the noble lord for the remedy of those evil measures? [Hear, hear.] If ministers had been guilty, they merited severer punishment than the mild and mitigated castigation of the noble lord's motion. If they were really guilty, and escaped without punishment, that escape would be the most fatal omen to the constitution and to the country. He asserted, that with the opinions the noble lord professed, it was his duty to take another course, and not to have brought down his milk and water resolution; telling the House, at the same time, that there was another motion in reserve, which they did not know when to expect. If it was the intention of the noble lord merely to do justice to the Queen, why take this isolated point—why advert in anticipation to another motion, as if the present were intended to ascertain the feeling of the House? He could not account for the noble lord's conduct, unless by supposing that he wished to have the benefit of all the shades of opinion existing in the House, by mitigating, as far as possible, the terms of his present motion.—Great stress had been laid, by the noble lord, on the petitions which had been brought forward. Many petitions had been presented that night, and he believed, that all of them prayed the House to take the promptest measures, not for turning out ministers, or for allaying the agitation of the country, but for effecting the restoration of the Queen's name to the Liturgy. Now, was that the object of the noble lord's resolution? It was no doubt, involved in it, and might be expected to follow, if the present proposition were carried; but, on so great a question as this was represented to be, was parliament to take particular points of the subject, or to act on any but clear and explicit grounds? The noble lord said, that he had recourse to this mode of proceeding with a view to conciliate the Queen and the people; but he (Mr. Robinson) contended, that the present course was calculated to produce an opposite effect, and that the House ought either to speak plainly or not at all. Such was the view he took of the present motion; it was not of a clear, direct, and simple character, as it ought to be, and as he understood the promised motion of another noble lord was, he was not disposed to meet the resolution with a direct negative. The noble lord had stated, that he would not take his tactics from his opponents, and in this respect he would imitate the noble lord's example; and, since the noble lord had brought a proposition for an abstract resolution instead of a direct and specific motion, he should take the liberty of moving "that the House do now adjourn."

Lord *Archibald Hamilton* rose to explain. In answer to the right hon. gentleman, he begged to say, that he had used the word "revolutionary" without doubt, and he had used it advisedly. He also begged to be understood as applying it, not solely to this particular act of the erasure of her majesty's name from the Liturgy, but to the whole of the proceedings which had been had against the Queen.

Mr. *Hobhouse*, being in possession of the House, began by observing, that if the right hon. gentleman who had so recently sat down, and whom, as one of his majesty's ministers, he must look upon as one of the advisers of those unfortunate measures, for which, upon the part of his colleagues, he had been endeavouring to offer an apology, had felt such a proceeding necessary, how much more was he (Mr. Hobhouse) bound to apologize to honourable members for any trespass he might make upon their time and patience. With respect to the observations of the hon. gentleman who spoke first, after the noble mover, upon another right hon. gentleman, he begged to say, that as that right hon. gentleman was not present, he should refrain from all remarks on his conduct. He thought it was due to the character and situation of that individual to wait until he should be in his place, so that he might have an opportunity of refuting any charges of whatever nature they might be, that might be brought against him. On such an occasion as this, honourable members had something else to do than to enter into particular justifications of their colleagues. It was calculated to take out of the view of the House that which ought to be the main subject of their consideration. For his own part, he could not help suspecting, that something like a parliamentary manœuvre in the hon. gentleman's rising so early, as it were, to give the cue to those friends of the late President of the Board of Control, whose scruples, had not operated, like his, to make them relinquish office. If that was the intention of the hon. gentleman he hoped he would not be followed, but that the friends of the right hon. gentleman (Mr. Canning) would consider what had passed that night, and that the unanimous petitions of the people of England would operate on them to give an independent vote. With respect to the right hon. President of the Board of Trade, he had heard the speech of that right hon. gentleman with surprise. The right hon. gentleman had not given them a single excuse for the conduct of ministers. He had told them, that he would not enter into the legal question, and yet he had concluded by moving, that the House do now adjourn; leaving the conduct of the ministers without excuse. Upon what principle of law, of argument, or of fairness, could he attempt to excuse the conduct of his colleagues in office, if he could not first prove, that what had been done by them was not an infringement of the constitution, and a violation of the statute law of the land? Without affecting to be more a lawyer than the right hon. gentleman, he meant to say, that the *onus probandi* lay entirely upon ministers; it was for them to prove, that when they ventured to erase her majesty's name from the Liturgy they were not violating the law. It was not for the opposition to prove, that ministers had done any thing of the kind. [Hear, and a laugh from the ministerial benches.] He should be able, he hoped, to show the noble secretary for foreign affairs, that this was not a foolish opinion. Since the time of the reformation—before which it was known there were no statutes regulating the religious formularies of the country;—from the time of the reformation to the present, there was no single instance in which the name of a queen consort had been omitted, under circumstances similar to those in which her majesty stood. The fact was, that there was one exception; and he would mention it, as he observed the learned attorney-general was taking notes, as if he had made some slip—the case of the queen of George I. But he asserted, that that was no instance in point. That queen had been unknown to this country as princess of Wales, or in any other character; she had been divorced before she became queen; she had never kept a court in England as princess of Wales, and was in no way known to or recognized by the people of England. The 13th and 14th of Chas. II. commonly called the Act of Uniformity, contained words so clear and explicit, that it was impossible to get over them. The names were directed to be "changed and altered from time to time, and fitted for the occasion." It was impossible, that those grave authorities by whom that statute was framed—he meant sir Matthew Hale and lord Clarendon—could ever have been guilty of that slip-slop (as it was sometimes termed) in language, as to have supposed for a moment, that the words "change and alter," could embrace a power to "omit" also. They evidently and expressly meant that the names should be varied with the occasion, and fitted thereto. What was, perhaps, a strong confirmation of this fact was, that at the time when the statute of Uniformity was framed, the reigning king, Charles II. had no queen; but there was a vacant space left, in the provisions of the act, for the insertion of her name; and accordingly the moment that the king did marry, the queen's name was inserted in that space, and in the Liturgy, conformably to the act. The right hon. gentleman was moreover called upon to show on what documents his colleagues proceeded, when they struck her majesty's name out of the Liturgy? In truth, however, that right hon. member had only excused one fault by another; for he said, that had ministers inserted the Queen's name in the Liturgy, then she would immediately have come over, and claimed all her rights as Queen Consort. And why should the Queen not claim all her rights? But it was quite certain, that when her name was so struck out she would instantly come over. When thus insulted and condemned, she had nothing to do but to come where she might have something like a trial; and where she might shew her accusers, that they had no grounds for their charges. Those loose, unsifted charges formed no ground for the proceedings of ministers. His late majesty, in his Letter to the Princess of Wales in 1807, had declared, that charges brought against persons, and examined in their absence, were not to be considered as legal charges. But it appeared, that his majesty's ministers acted upon them as upon legal proofs. They did not go to those persons who were best able to inform them as to the truth; they did not question the honourable persons who had been about her majesty, her domestic physician, or the noble ladies who had resided with her, but on loose papers, drawn up by they knew not whom, they proceeded at once to the act which he declared to be absolutely illegal. The testimony which they had brought forward was quite extraordinary. As he himself had long resided at Venice, he knew perfectly well, the infamous character of one of the persons whom they had brought as an important witness from that city, a person named Bianchi, the porter at an hotel in that city; a man who bore a character so infamous as ought to have deterred any man, or set of men, from ever adducing his evidence in a court of justice. Ministers ought to have inquired, before they instituted those proceedings, whether they had grounds which would satisfy the country; nor should they then have commenced them without a state necessity. What state necessity was there? They knew that the country was in an extraordinary state of agitation. The right hon. gentleman in moving for an immediate adjournment, had at least proved, that what he had called parliamentary tactics, were not confined to the Opposition side of the House. No doubt, he expected, by such a mode of getting rid of the question, the votes of a few gentlemen, who would otherwise support the proposition of the noble mover. But he trusted, that those honourable gentlemen would well consider what they were about to do, and that by so adjourning they would reject the prayers and petitions of the whole people of England, of which they had received such striking manifestations. He would entreat them to remember, that even if on other occasions, they considered themselves pledged to vote with the right hon. gentleman, by a point of honour it now behoved them to give up; and finally he would refer them to the vote which they had concurred in during the last session; a vote which had characterized the whole of the proceedings against her majesty as being derogatory from the dignity of the Crown, and injurious to the best interests of the country.

Mr. *Wetherell* and several other members having risen at the same time, the cry for that gentleman became general. He said, that he had been in hopes of hearing some grounds alleged by his majesty's ministers as those upon which the order in council had proceeded, by which the omission of her majesty's name in the Liturgy of the church had been directed. The right hon. gentleman who had spoken after the noble lord opposite, had gone into a variety of observations, the tendency of which was, the justification of that act upon the part of the ministers of the Crown. Without wishing to follow the right hon. gentleman through all the statements contained in his speech, he was quite prepared to state the reasons upon which he differed from him on this most important subject. The right hon. gentleman had critically argued, not so much the matter, as the form of the motion submitted by the noble lord. For his part, he thought that form was an extremely correct one. He thought the right hon. gentleman however, had stated, in a very candid manner, what was his own view of the question, and his own opinion upon its merits: and having himself possessed the means of frequently considering it, he would now state what was the result of that attention and inquiry which he had bestowed upon it. And firstly, he thought, this act was to be considered as the act entirely of his majesty's ministers, and not as that of his majesty. Such was his judgment; and if in making it, he had come to an erroneous conclusion, he could only say, that it was an error of some maturity. When, the day before yesterday, he had the honour of moving for the production of certain documents and papers, it was not for the purpose of informing his own mind upon any particular knowledge to be derived from them, because he had already taken pains to make himself acquainted with their contents; but he had done so with a view of possessing the House of the same necessary information. It was singular to observe the conduct of the right hon. gentleman and his colleagues upon two occasions, immediately connected with the present discussion. When he (Mr. W.) first made a motion with reference to the papers which had been laid upon the table, the noble lord (Castlereagh) moved the previous question; and now, when the noble lord (A. Hamilton) submitted some other proposition relative to the object contemplated by his own motion, the right hon. gentleman moved an adjournment. Ministers, however, must not suppose, upon a great constitutional question like this, that the attempt to defeat him by a mere point of tactics would be successful. It was truly a great question, involving, not the rights of the present Queen Consort alone, but the public rights and privileges of all queens consort in these or future times—a question not upon this single violation alone, not on this individual case, but upon the general tenure of those rights and privileges recognized by the statutes and constitutions of the realm. It was, in truth, a question involving this important consideration—whether the statute and constitutional law of the land, has vested in the privy council of the king, a power to leave out or to insert as it chooses, the name of the Queen Consort. That was the plain question; and though he admitted, that as upon this point, they could not argue the abstract question, yet it was a perfect fallacy to suppose, that they could authorize such a principle in any particular case, without authenticating its general operation. It was manifest, that if the act of omitting her majesty's name was to be attacked or to be defended, the future principle would be affected generally, according to the decision to which they should come. The particular question was, whether, according to act of parliament and the *consuetudines regni*, such act was or was not illegal. This mere form of putting the question might suffice to show that it was not confined, and could not be confined, to the present case alone. Out of this a further consideration naturally arose, and that was, whether any queen consort of the realm was to hold the privilege of having her name inserted in the Liturgy of the church, at the mere pleasure of the king's council.

Referring, therefore, to what the right hon. gentleman had suggested as an insuperable difficulty, it resulted, that it would be a mere fallacy to argue this case on those individual circumstances which might seem to constitute it an isolated and particular question; if they did not, in truth, embrace the whole point under consideration, and become, as such, necessary to be taken into the discussion. It was, therefore, that he took the liberty of calling the attention of the House to those peculiar facts (and God knew they had been sufficiently calamitous ones!), from which it appeared, that an omission had been directed to be made of this description; they were to decide upon a right which had existed for three centuries, ever since the first use of a reformed Liturgy; they were to decide the question, whether the legal and constitutional usage should be violated by doing in this case what must endanger all other laws and usages of the realm. He had already stated, that, since the time of the Regency, he had met with no one question whatever, so considerable and so important as this. They should remember, that they were called on to decide a question of a civil nature—no less an one, than whether that privilege, which for three centuries had been supposed to attach, not to the natural person of the Queen, but to her exalted public station and character, was, after the lapse of so many years, to be laid at the feet of the privy council? or, in other words, whether the Queen Consort of these kingdoms was to be exalted or degraded at their mere will and pleasure? Presuming, not that his humble labours could benefit the House —presuming, not that his information could enlighten honourable gentlemen, but presuming to offer his own mature and unbiassed opinion, he now took the liberty of accusing his majesty's ministers of having made an order, upon the 12th of February last, which was grossly illegal. If the right hon. gentleman, who had manfully come forward that night, and for whose personal character no man entertained a more sincere respect and consideration than himself, had thought proper to apply the epithets of "milk and water" to the motion of the noble lord opposite, he could promise the right hon. gentleman, that he should not have to complain of him for making use of language of that description. The right hon. gentleman, in an argument, which, to be sure, appeared rather absurd, had stated, that that noble lord might have been a little more severe on his majesty's government. For his own part, he must say, that he was not disposed to use language quite so subservient. He was sure, that the right hon. gentleman knew the personal respect which he entertained for him; and, without meaning any offence to him, he begged to repeat, that he would take especial care to avoid the charge of not stating his opinion with as much strength and plainness as the forms of the House would allow.

In that view of the case, he did assert, that so far as his humble opinion was concerned, he did not put the question upon the ground of expediency or inexpediency; but he was disposed to put it upon the plain and broad ground of illegality. His argument was, that the act was an undoubted contradiction to the ancient and unquestionable privilege in dispute, as it was confirmed by the Act of Uniformity. He was little disposed to trouble the House with a detail of facts which must be known to all honourable gentlemen too well to need repetition; but some short data there were which it was material to notice. He did not mean to dispute, what no man acquainted with the history of his country would dispute, that after the Reformation, the supremacy, in all ecclesiastical regulations, was vested in the king as head of the church. Neither did he dispute, that in the reign of Henry VIII, the Crown had the power of regulating the service of the church as it pleased. He would not weary the House with a train of historical references: it was sufficient to know, that prior to that period, the direction and management of ecclesiastical affairs had been entirely under the see of Rome. Subsequently to this period, this whole system had been altered and reversed, and ecclesiastical government had been intermingled and identified with the civil ordinances of the state. In the reign of Edward VI, a Liturgy founded upon these principles of alteration was established. In succeeding reigns, various acts of parliament were passed; which, from time to time, made the Liturgy of the church, and all matters connected with it, matters of civil regulation. In other words—and this was important to observe—the church was made a part of the state, and the state a part of the church. He would not trouble the House with particularly adverting to these different statutes; all this was undoubtedly originally the effect of the Reformation: the Liturgy might thus be said to have been established by the Reformation. In subsequent reigns it was, indeed, altered; thus it was altered by queen Mary. After that period, and in the reign of James I, it was reduced into pretty nearly the same form in which it existed at present. Thus it continued until the reign of Charles I. In that reign it was well known, that the political dissension which existed, arose from religous as well as a civil feeling. The Liturgy of the church, which was thus originated under Edward VI, came to be reviewed in the reign of Charles I; and by the civil and religious authorities of his day some partial changes were effected in it, of that slight nature to which he had already alluded.

Thus far it had been necessary to make mention of historical facts; and these brought us down to the reign of Charles II. And here it was proper to remind them, that the church and state were now to all intents and purposes to be considered as mingled and connected; the church, and all parts of the church government, being part and parcel of the state itself; the king, recognised as the head of the church, was the head of the state also. The union of these two circumstances led to the fact, that after the Reformation, very different regulations in matters ecclesiastical were adopted; because they were not ordered as theretofore by the authority of the pope, but subjected to civil authority by the power of parliament. In other words, the Liturgy was established by act of parliament; and the regulations and enactments ordained and provided by that statute, and by all others made in furtherance of the same object, became of equal effect, validity, legality, and strength, and were as much binding, and exacted equal obedience, as any other acts of parliament whatever. He took upon himself to say, with great deference and humility, that he had now proved his position; namely, that these regulations of a civil nature were those which made the church part of the state. He had already said, the king was head of the church. Referring, indeed, to the reign of Henry VIII, it might perhaps, be said, that by virtue of his prerogative, he might have governed and regulated its ordinances of his own authority alone, even supposing no acts of parliament had intervened; bnt that was not the case now. Leaving the question of prerogative alone, sufficient was shown to prove, that it was at least controlled by the power of parliament in this case; and enough was also shown to prove, that the regulations of the church were part of the civil law of the country, and were to be governed by that law as well as by any other matter.

Allowing the king, therefore, to be the head of the church (and God knew he had no wish to impair one tittle of his prerogatives in that character!), the next question was, whether acts of parliament passed subsequently to the Reformation had not curtailed them. Let no man suppose here, that he was for a moment denying the plenary powers of the Crown—powers which it undoubtedly possessed; but it would be a waste of time to show in what instances those plenary powers, which might formerly have been exercised by the Crown, had been since lost and confused, by the Crown itself having delegated them to parliament, though originally they were its own. He had already shown in what way the Liturgy was framed and subsequently modulated; the exigencies of the times afterwards gave rise to certain restraining statutes. It was well known, to all who heard him, that the Covenanters, and others of the puritanical party, undertook to revise particular parts, not only of the civil, but also of the religious institutions of the state. At that time, divisions pervaded the whole kingdom of the same nature; and, consequently, in the year 1661, it was resolved, to establish a Liturgy, that should unite as closely as possible, all religious parties in the state, and make them submit as much as possible to the state's authority. The purpose was, not so much to make out a form of Liturgy which should unite all men in any universal form of belief, but to settle, and ensure to all the component parts of the state, *in facie ecclesiæ*, a legal recognition of all the civil parts of the ecclesiastical institutions of the country. There was no man who maturely considered the subject, but would concede to him this proposition—that the great purpose of the Act of Uniformity was, that church and state should be in all respects mixed; so that you might mix up, as it were, allegiance to the church and state, and secure the same obedience to the latter as was already required to the former. Such was the principle of the Act of Uniformity, by which it was intended, that a civil and a religious rebellion, which had so long raged, should not operate to the prejudice of the establishment. It was to the evils of dissension that the Act of Uniformity addressed itself. There were subsequent acts, the due performance of which were also provided for by that statute. Accordingly, there was to be found in the Liturgy, a recognition of the authority of the king, of the prelates, of the privy council, of the magistracy, and every other component part of the civil constitution of the country. He would now call the attention of the House to the effect of that act. The Liturgy of the church being thus settled and established, was annexed to the act, and authenticated under the great seal, was, to all intents and purposes, part and parcel of the Act of Uniformity. It was as much a part of the act, as if it had been written in the parliament roll, and transcribed from that roll into the statute book. This was a point, which he apprehended, neither the Attorney General, nor any gentleman conversant, with the law of the question, could dispute. The Liturgy, then, was to be considered as virtually and substantially part of the act of parliament; and it was, indeed, only in consequence of its length, that the whole of the church service was not enrolled, and printed among the statutes. The act directed, that the Liturgy thus identified with it should be printed, and carried into effect; and that 21 copies of it should be deposited in the Tower of London, and various other repositories of public documents. The Liturgy thus established, could undergo no change unless there were some change in the Act of Uniformity, reserving a power to make such alteration. It was clear, that the Crown had no power to alter or add to any part of the Liturgy, as it related to faith and doctrine; not a comma or a word could be altered in any prayer or collect. How far then, did the power of alteration extend? He would read to the House, the very short clause of the Act of Uniformity itself; which was, he thought, so express in terms, as that it could leave no doubt on the mind of any hon. gentleman upon the question before them:

"Provided always, and be it further enacted by the authority aforesaid, that in all those prayers, litanies, and collects, which do in any way relate to the king, queen, or royal progeny, the names be altered and changed from time to time, and fitted to the present occasion, according to the direction of lawful authority."

These were the words of the act. Now, it was singular, that if more was intended than to change the name to George or Frederick, to Anne or Caroline, that the framers of that act should not have thought of inserting the word "omit," or something to that effect. The vocabulary of the English language was nearly as full and perfect at that time as it was at the present day; and yet, how happened it, that sir Matthew Hale, lord Clarendon, and the other learned men who had drawn up the act, with all the *copia verborum* which the language presented, should not have hit upon a word which would bear the construction of expunge, or omit, or leave out? But they had done no such thing. They merely left it "to be altered and changed," as he had just read. How came it to pass, that it was not stated, if such was ever intended, that it should be left to the power of the Crown to omit the name of her majesty or the royal family? How came it to pass, that after all the revisions which this subject had undergone by parliament, by the convocation, and by the twelve learned lawyers—how came it, he asked, to pass, that if such a power as that now assumed was ever intended to be conveyed, all these high authorities should have concurred—not in putting in the word "expunge," or "omit," but in merely inserting these words—"To be altered and changed from time to time, and fitted to the present occasion according to the direction of lawful authority?" Was any honourable gentleman prepared to contend, that at the period of the restoration, when the throne was to be restored to all its dignity and splendor, it could be in the contemplation of the legislature to pass an act in which a power was to be granted to degrade the queen? From the Reformation down to the period of passing the Act of Uniformity, the names of queens consort had been uniformly inserted in the Liturgy. Catherine, the queen consort of Henry the Eighth, was in the Liturgy; the queen consort of Charles the First was in the Liturgy; and the principal of reinstatement and redintegration had been constantly acted upon, through the whole period of time which intervened between the Reformation and the reign of Charles II. There was another argument, which operated very forcibly upon his mind, though he did not know how it might strike other gentlemen. At the time of the passing of this act, Charles II, was not married, and a blank was left in one collect for the name of the queen; leaving it perfectly to be understood that it was to stand *pro re nata* for the insertion of the queen consort's name when the king should marry; and not only was the blank left for the name, but also for the titles; and, in fact, after the marriage of the king, some copies of the book of Common-prayer had the blank filled up and the name of her majesty the queen consort inserted. He did not know how this might strike others; but it struck him beyond all doubt, that the intention was, that according, to the act, the name of the Queen must be necessarily inserted. This just brought the case of the Liturgy as it stood in the preceding reigns. They had one uninterrupted course from this time down to the reign of George I; and in this period, would any one attempt to say, that it was not the *consuetudo regni?* They had the proof of the constant practice of three centuries; and he thought, that a constant custom for three centuries was fully sufficient to establish a prescriptive right. And who were they who disputed this usage; who were they who denied this presumptive right? They were those from whom he should never have thought, that the infraction of a long-established usage would have come. Who could have expected from the present anti-radical administration, from this monarchical administration—they who in and out of doors were so loud in combating every thing like reform or change, who trembled at the bare idea of the least deviation from any and every long-established custom;—who, he asked, could have expected that such a violation of the constant practice of three centuries would have come from them? What was it, that was in the present day more ardently supported by this anti-radical, anti-reform, monarchical administration, than a veneration for what was termed the ancient usage of the country? And yet it was from this same quarter that they now found an attack upon the undisturbed practice of three centuries! What was it that was more anxiously looked to by all ranks than ancient customs? Upon what did the privileges of that House rest? Upon the *consuetudo parliamenti.* Upon what did the prerogatives of the Crown depend? The *jus coronæ.* Upon what the privileges of the Lords? Usage. Upon what, in a word, did some of the best and dearest rights which men enjoyed in this country depend? Usage. And now we were to take from the present monarchical administration the doctrine, that usage the most ancient, was to be abolished at their discretion! In obedience to the dictates of this anti-radical, monarchical administration, those men, who, as he had said, were shocked at the least word that whispered change or reform, the House was now called upon, without any argument or any precedent, to give up the practice of three centuries. [Hear, hear]. He, in his humble situation in life, had always been opposed to the principles of the radicals; he had ever deprecated their wild and visionary schemes of reform; he had looked on public affairs with an eye as active, as ardent, and persevering as many men; and he had held the same opinion with respect to the principles of all violent reformers; and his sentiments with respect to them were still unchanged. He begged to ask them, as an humble individual, for he liked to be consistent—[cheers from the ministerial benches]. He did not feel annoyed, nor would he be put down by the cheers of the noble lord and his friends. He knew well from what cause they proceeded: he would repeat, that he liked to be consistent; and he begged to ask the noble lord who was so strongly opposed to every thing like change or innovation, upon what principle or precedent it was, that he would attempt to justify the abolition of the constant practice of three centuries? It was not from the noble lord that he expected such an example: but when he did set it, he thought, at least, that some argument, founded upon reason and practice, should be urged to justify it. It was this violent, and he would say, illegal conduct, on the part of his majesty's ministers, that had placed him (Mr. Wetherell, in the situation in which he then stood in opposition to all the measures adopted against the Queen. He maintained, that the whole course of the proceedings pursued by his majesty's ministers, from the first introduction of the bill of Pains and Penalties, had been a series of monstrous and unjustifiable innovations on the constitution. If the noble lord had not been guilty of these aggressions on the constitution; if he had not endangered the peace of the country and the security of the monarchy, he should still have given him his support, and not have stood there his determined enemy in every thing which respected the measures against the Queen. From the moment that the Queen's name was illegally and unjustifiably left out of the Liturgy, from the moment that the illegal and fatal order of the 12th of February took away all chance of a fair trial, he had placed himself, and would continue to place himself, in opposition to every measure of ministers founded upon it.

After the date to which he had already referred, he would now beg leave to call the attention of the House to whatever there were of precedents for this unjust proceeding. He could not, of course, presume to guess what new field of research might be opened, or what unexpected powers of eloquence might be displayed by the distinguished persons who formed the present administration; but there was one topic which he might venture to anticipate as likely to be urged on this occasion; he alluded to the omission of the name of the Consort of George I. That monarch ascended the throne in 1714; and for eighteen years previous to that period, the princess of Zell had been a prisoner in Hanover; she breathed her last in the same dungeon in which she had been confined for eighteen years. She was never mentioned in any public document, or upon any public occasion, as the queen of George I; and even her name was not to be found in the index to Tindal's History. She was never, in any way, recognised as queen, nor did her name ever appear in any state paper or address to the king, or in any document, public or private. But this was not all; George I. was actually divorced from his queen, and this was sufficiently established in Coxe's Memoirs of Sir R. Walpole, who was minister at the time. It was idle and contemptible, therefore, to adduce as a precedent, the case of an absentee and a prisoner, who was not only never recognised as queen, but between whom, and the king, the conjugal relation was dissolved by the decree of a court of judicature. If any person had a right to be considered as the queen consort of George the First, it was the duchess of Kendal, and not the princess of Zell; for a left-handed marriage, as it was termed by the German jurisconsults, had been solemnized between the duchess and that monarch. He was not sufficiently skilled in the German law to know what was the exact nature of such marriages; but he believed, a left-handed marriage was that which was contracted between a person of rank and one below his own dignity; and the difference between it and an ordinary marriage was, that it left the woman the control and possession of her own personal property. If, then, at his accession, any individual was entitled to the privileges of the consort of George I, it was the duchess of Kendal, to whom he was so married, and not the princess of Zell. Looking, then, at this most wretched rag of a precedent, who was it, he asked, that understood the history of his country, or that had any pretensions to common sense, could attempt to support by it, the measure which his majesty's monarchical ministers had adopted? He would maintain, that no man in his senses could attempt to rely upon such a case. The House had now before them the invariable *consuetudo regni* down to the present time; for the case which he had just disposed of could not for an instant be looked upon as an exception. They had that constant custom before and since the period of George I; and if there was any doubt as to the custom, it would be fully removed by the act of parliament. He would now remind the House of another point which bore on the subject. The rights of the Queen were hers, not as attached to her person, but to her political character. By the common law, she had in this character, rights and privileges, equipolent with those of the king. She had besides, all the legal privileges of a *femme seule*, not from the *jus mariti*, but belonging to her character as Queen Consort. She had also considerable patronage, and a right to exact from all subjects the same homage that was paid to the king himself. These privileges were hers immutably and indelibly. They were not in the power of the king to give or to take away. But if the king had by law, the power of depriving her of any of these—if he could of his authority say, that his subjects should not pay any marks of respect to her person—if he could prevent them from kissing her hand or order them not to respect her person—if any of these things could be legally done by his majesty, then he should think, that his majesty might also be in some manner justified in the exclusion of her name from the Liturgy. But, when he found that the converse of all these was true, he thought, that the converse of the argument must be also true. He again asked, how ministers, how any men in their senses, could admit (and they must admit it in order to support the ground they had taken), that the king could not legally do any of the things which he had just mentioned, and at the same time contend, that he could strike her majesty's name out of the Liturgy? How, then, did it come to pass, that his majesty had the power in the one case, and not in the other; the one privilege (that of the Liturgy), as he had shown, belonging to her majesty as much in right of her character as Queen, as any of the others? How did it happen, that by common law he could not take away the name of Queen, and yet, that he could abolish the rights of that character? Looking at the question in a legal point of view—and in that view he had given it his most serious consideration—the thing appeared to him so plain as not to admit of the slightest doubt. But his own opinion was not the only one upon which he rested. He had put the question to men of unquestioned legal knowledge—men not less eminent for information than sound judgment—men connected with no party, and of course not biassed by partial views; and every one of them had concurred in stating, that the text of the statute left no ambiguity, but that combined with the general usage of three centuries, the case did not admit of a doubt. They concluded, that the law and the custom were decisive; and that therefore, the expunging of her majesty's name from the Liturgy by the privy council, was in every sense, illegal. But, notwithstanding the cheers which he had heard from gentlemen on the ministerial side of the House—cheers which he set to the account of the vote which he intended to give on this occasion—he would again ask this anti-radical, monarchical administration, what it was, that they had urged in defence of this violation of the law, and the custom of the country? Let them look once more at the clause in the Act of Uniformity. Now, as an humble individual, he begged to ask his majesty's anti-radical, monarchical ministers, amidst the cheers of their friends, whether, if the name of the Queen might be left out by the order of the privy council, under the authority of this act, the name of the king might not also be omitted by the same authority? Might it be permitted to a plain man to ask this monarchical administration, whether, by this same authority, they might not leave out the head of the church—he who would lose the throne if he married a Papist? As a plain man he begged to ask them, whether they would contend (and they must contend it, in order to support their argument), that by the authority of this act, they would be justified in leaving out of the Liturgy, the bishops, the privy council, and the other public authorities who were there mentioned, as directed by the act? He presumed, that no one would contend, that the king, the privy council, the bishops and others, could be kept out by this act. Why then, he demanded, was the name of the Queen alone to be omitted? Did the act give the power of omitting that name and no other? The argument was absurd. The Liturgy, in effect, as far as the name of the Queen was concerned, was in the reign of Charles I, what it was in that of Charles II; and though Henrietta, the queen of Charles I, was highly unpopular, no power was attempted to be given of excluding her name from the Liturgy. It was not left in the power of a faction of a court to put her in, or a faction out of court to put her out. The House of Commons impeached the queen of Charles the First, and yet they did not afterwards think of such an expedient as the expunging of her name from the Liturgy any more than that of the king. But he thought, it was unnecessary to press this part of his subject farther upon the House.

He could not but observe, how different was the conduct of the noble lord (Castlereagh) upon this occasion, from that pursued by Mr. Pitt in the case of the regency: instead of proceeding to act at once, he went into the question of precedents, and all those which bore upon the subject were produced and examined. Instead of consulting the privy council only, instead of meeting a demand for inquiry by the previous question, he did what was his duty—a committee to search for precedents was appointed, he produced all the documents which were necessary, and laid them before the House. This was fair and open. But what a contrast to this was the conduct of the noble lord! Now, looking to the act of parliament, unless it was supposed, that a court of censure was intended to be placed over the Queen—unless it was wished to renew the odious court of commission—unless such an iniquitous tribunal was to be established—what did they do by consenting to the present measure? They allowed the privy council the power of excluding her majesty's name, without charge, without examination, without trial! No; "*actum est*;" it was done; and because it was done, it was meant to be supported as irretrievable. The establishment of such a precedent was most dangerous; and might be most fatal to the peace of the country. They might, according to this principle, at any time expunge the name of a Queen without any reason assigned; and though it was possible that such a case as this might never again occur, yet, by assenting to it, now that it had occurred, a general principle was laid down, by which, at any future time, the Queen might be the victim of a faction at court, and deprived of all the privileges of royalty. The principle, he contended, was absurd, as it was now supported; but it was worse—it was highly illegal and unconstitutional. Were the House, he asked, prepared to sanction a precedent teeming with such frightful consequences? Were they prepared to set an example by which, at any time, a queen who might have the misfortune to be unpopular at court, was to be left unprotected to the fury of her enemies, and deprived without trial? It might be said, that the present was a case in which moral conduct was concerned; but who was to be the judge of such a question? If once they gave a discretion to ministers, they would, in allowing them a particular example, establish a most dangerous general principle—a principle by which every attribute of royalty would become precarious. He felt, that he had too long occupied the attention of the House. [Hear, hear.] He was willing to have this tried by any test; and by whatsoever test it was tried, it would be found equally injurious, and opposed to the due administration of law and the strict principles of justice. It might, on the present occasion, serve the purposes of a faction at court; but history furnished them with examples of the purposes to which faction might convert such precedents. She who was the object of court favour to day might be sacrificed as its victim to-morrow; and it should be recollected, that her majesty was once the object of the favour and respect of those by a great portion of whom she was now most vehemently opposed.

He had viewed this question generally; he had looked at it as a question of law—as a question of the discretion which might be vested in a government; and in every view which he took of it, he was convinced, that its sanction, on the present occasion, would be unjust and unconstitutional. He was equally indisposed to regard the popular favour, or the caprice of a court; the favour of the latter was as precarious as the *arbitrio popularis auræ*, described by the poet as belonging to the people. If discretion, unlimited and unrestrained, were to be admitted in deciding the rights of individuals, there could be no calculation of the consequences—there could be no security against injustice, nor any protection against the most frightful misgovernment. If they degraded a Queen without law, or contrary to the statutes that secured her rights and privileges, there was no reason why they might not apply the same arbitrary principle to the degradation of a king. In reason and good sense, the same rule might be applied to both. He said again, that the proceeding of the privy council, in striking her majesty's name out of the Liturgy, and thus punishing her without trial, and degrading her against law, fixed his mind in a firm determination to oppose all the measures which should be built upon this act of injustice, or emanate from so impure a source. The subsequent proceedings confirmed him in this resolution; and the trial, if trial it might be called, before judical accusers and senatorial judges, but increased his feeling of aversion to the whole conduct of her enemies. The whole course of proceeding was illegal and unjust. On a proper occasion, he would prove, that the Milan commission, was illegal—that the mode in which the evidence was collected, was illegal—that the conduct of the privy council could only be compared to that of the star chamber—and that, as the trial began in rottenness and injustice, so the end had been highly oppressive and revolting. Entertaining this opinion, he was bound to oppose the conduct of ministers, and to denounce to the House the proceedings of the noble lord. His vote, thank God, was his own—his sentiments were his own—and he would neither disguise their nature or withhold their expression [Loud cheering.] Long before the trial commenced—long before the threatening offer at St. Omer, he began to feel, that ministers were misconducting themselves towards her majesty; and, feeling so, he would have despised himself if he had concealed his feelings. The result could not but be anticipated. Those subsequent acts could not but be objectionable which were founded at first in gross illegality and monstrous injustice. Without any cause publicly assigned—without any trial—without any authority but the discretion of ministers—her majesty had been dethroned and insulted before foreign nations, and cashiered in the face of the country. Nay, more: she was told, that she could not set her foot in the country of which she was Queen, without exposing herself to a still more dreadful fate. The threatening letter of the ministers, handed to her at St. Omer, contained at once an infamous bribe and a bill of impeachment, to induce her to stay away, and to deter her from demanding her rights. The principle of action disclosed in this conduct was fit for the reign of terror; it was becoming the most oppressive power in the most troubled times; it was worthy of a Pagan state; it had no parallel in Christian history. [Loud cheers.] By an illegal proceeding—by an act of caprice—the ministers of the Crown dethroned and cashiered the Queen, and then held out to her a threat of more dreadful punishment, if she ventured to visit the country in which she held so high a rank, or dared to claim the privileges to which she was entitled. In their threatening letter they, in effect, told her—"We have dethroned you already, we have degraded you in the face of Europe; but if you venture to set your foot upon British ground, we shall still farther degrade and punish you."

When he saw proceedings thus commenced in rottenness and injustice, marked at every stage by new acts of cruelty and oppression, his mind was made up, and he was determined to take his stand against them. If the bill of Pains and Penalties, of which he was supposed to know nothing—to which he could scarcely allude, as being presented to another House and withdrawn—had been brought down to this House, he (Mr. Wetherell) must have moved an amendment. "This bill (he would have said) is entitled, a bill to deprive her majesty of her rights and privileges as Queen Consort of these realms—why, she is already deprived of them by the privy council. It is entitled, a bill to dethrone her majesty—she has been already dethroned. It is entitled, an act to degrade the Queen—but she has been already degraded; and why dethrone her who has already been dethroned, and degrade her who has already been degraded?" The privy council had exercised a discretionary authority and passed a judicial sentence, and then they appealed to parliament to sanction their authority and to confirm their decision.

He conjured the House to look upon this not as an insulated case—not as an individual or personal example. The question was, whether a Queen Consort, without being legally charged with any crime, without a hearing in her own defence, and without the formality of a trial, could be deprived of her rights and privileges—could be degraded from her rank by a secret tribunal—by a kind of star chamber, which gave no reason for its decision, and did not summon the party to explain her conduct? Being of opinion that a precedent thus set might not stop where it began, but might lead to the most mischievous consequences, he would vote for the motion of the noble lord. The opinion which he had expressed was, that the omission was totally illegal; but he could have no objection to say, likewise, that it was unadvised and inexpedient. The whole of the proceedings against the Queen were of a dangerous and irregular character, contrary at once to the interests of public order and the rules of righteous judgment. A tribunal to try the Queen for offences unknown to the law might likewise extend its authority to try a king; and thus the measure was revolutionary and mischievous.—The hon. and learned gentleman had concluded by thanking the House for the patience with which he was listened to, and declaring, that long before the offer at St. Omer, he was convinced of the illegality and the inexpediency of the measure which he had now exposed.—The hon. and learned member sat down, amidst loud and continued cheers.

Dr. *Dodson* said, that the real question before the House was, whether the Crown had the power to omit the Queen's name in the Liturgy. Upon this question, he for one, had no hesitation in deciding in the affirmative, and therefore he protested against the inferences of his hon. and learned friend the member for Oxford; into the extraneous matter of whose speech he by no means intended, or thought it necessary, to enter upon this occasion. His hon. and learned friend did not confine himself to the immediate question before the House, as to the omission of the Queen's name in the Liturgy; but had endeavoured to show, that it was illegal and unusual, nay, that the Crown was not entitled to make any alteration in the Liturgy. He however, should confine himself to the question before the House, and had no doubt he should be able to convince the House, that the proceeding so strongly deprecated by his hon. and learned friend was neither unconstitutional, nor illegal. His hon. and learned friend was constrained to admit, that the power of altering the form of prayer was in the Crown, because it was enacted in the 26th of Henry the eighth, that the king should have all the power and authority in the church which had been assumed by the church of Rome. His hon. and learned friend did not know, that that power had been taken away. Was it to be supposed, that seeing, that Henry 8th, was vested with that power, he never exercised it? The fact was, he did exercise it. He declared, by an order in council, that the bible should be translated and read in English. During his reign there was a constant exercise of that right. During the reign of Mary, the power of the pope was restored; but in the reign of Elizabeth, the statute of Henry the eighth was revived and acted upon. But his hon. and learned friend said, there had been an Act of Uniformity which took away the power of the Crown. There was no act in existence which took away the authority of the Crown; on the contrary, the power of the Crown was confirmed by the 13th and 14th of Charles the second, called the Act of Uniformity. The House would see nothing in that act which took away the power of the Crown. It went to promote the power of the Crown, inasmuch as it imposed additional penalties on those who impugned the book of Common Prayer. The book of Common Prayer emanated from royal authority; consequently it increased and supported the power of the Crown. His hon. and learned friend, and the noble lord who brought the measure before the House, had relied upon some clause which made it legal to alter the names of royal persons in the Liturgy. In the acts of Uniformity, which passed in the reigns of Edward and Elizabeth, there was no such clause, and yet alterations were made. But then it was said, it was the change of the names of the royal family, and not the queen. He found in those changes the names of a king and queen, as well as the names of persons related to the royal family. Some names had been inserted, and others taken away. What passed in the reign of George 3rd? Did not his late majesty take out the duke of Cumberland's name from the Liturgy? His hon. and learned friend however, said, that if they left out the name of the Queen they might leave out the name of the king. His hon. and learned friend need not be under any alarm on that account, because the king himself only had the power of altering the names. It therefore was not to be supposed, that the king would leave his own name out. Taking the argument of his hon. and learned friend to be correct, and that the king and council had not the power to leave out names in the Liturgy, he might ask him, how he accounted for the alteration in the form of prayer which had so often taken place? Were not those alterations made on account of his late Majesty's illness, and upon the delivery of the Queen? If he had no power to make alterations in the form of the Liturgy, how came those things to be done, and to be considered legal? The learned doctor concluded, by begging the pardon of the House for having trespassed on its attention. He had promised, at the outset, not to detain them long, and he had endeavoured to express what had occurred to him in as short a compass as possible.

Mr. *Martin*, of Galway, begged leave, in the first instance to address himself to the consistency of the House, and to remind them of what occurred late in the last session. He appealed to the recollection of every gentleman, whether the question of the Liturgy was not repeatedly under consideration; and whether it was not, for the last time in that session, discussed in conjunction with a motion for an address to her majesty. The legal right of the Queen to be named in the Liturgy, was then hardly lisped by those tongues which now vociferate with such emphasis, that right which it seemed they had then abandoned.—In proof of an almost unanimous opinion on that subject (said Mr. Martin), we voted an address to her majesty, calling by implication on her majesty to acquiesce in the step taken by the king in council; and by which step, her majesty's name was not, on the death of the late king, ordered for insertion in the Liturgy; and praying her majesty to be assured, that by such conduct she would be exalted in our opinion. I do not affect to refute the eloquent expressions used by the member for Bramber in that address. I state the import only. To this address, unfortunately, after ineffectual negotiation, the Queen was recommended by some very mischievous counsellors to express a firm but respectful dissent. Thus stands the fact. It is very clear then, that in June last, we thought it not right to call on the king to retrace his steps, or to retract his opinion; and in accordance with this our opinion we voted the address. Let me ask, is it because the Queen was then influenced by counsellors alike the betrayers of her majesty and the people—is it for this reason, that we are to compliment her who rejected our interposition, at the expence of the administration who assented to the proposal of a gentleman generally opposed to the noble lord and his colleagues?—Mr. M. said, that when he heard that address read, he hardly expected, that without some modification, his majesty's ministers would have assented to it. That they did so, is to their immortal honour. It was on their parts a peace-offering; and is it a just return for such conduct to come to the resolution proposed by the noble lord. Some there be, who may think, almost in the words of the resolution, that her majesty's exclusion from the Liturgy, was not called for at the time by any strong state necessity. Notwithstanding this, Mr. M. asserted, that even those who are of that opinion, might vote for the adjournment, which was the previous question; and for this reason, that by so doing, they in no way give up their private opinion, though they decline to come to a solemn vote directly expressive of that opinion, inasmuch as such vote would, in substance, convey a recorded censure which is in the contemplation of but very few. Gentlemen opposite to me, say, insert the name of her majesty in the collects and Liturgy of our church, because her majesty has vanquished a foul conspiracy, insinuating, that the conspirators were the government, and, to speak out, his majesty. Such language being held, it is utterly impossible to call on the king to insert the Queen's name in the Liturgy. If gentlemen can be content to compliment the Queen without degrading the Crown, let them propose a law, enacting, that in time to come it should be the law of this land, that no queen's name should be omitted from our Liturgy. This would certainly attain every object her majesty should have in view, for the Queen would then be prayed for. But this law they will not propose, because it would put this question to rest which they, in the phrase of Mr. Cobbett, consider nothing less than a perfect God-send to their party.

Sir *John Newport* deprecated the manner in which the king's name had been made use of in the course of the present discussion, for the purpose of influencing the minds of members of that House. To answer a legal argument by appeals to the personal feelings of any body of men in that House, gave the strongest reason to suppose, that the legal argument could not be met.—[Hear, from the Attorney General.] As it seemed to be the intention of the learned gentleman opposite to meet the argument, he would furnish him with one more subject for the exercise of his ingenuity in answering it. In the Act of Uniformity passed by the Irish parliament, two years after the act passed in this country, there was a clause which ran thus:—"In all prayers, litanies, and collects in the Common-prayer, wherein mention is made of the king, queen, royal family, lord lieutenant, or any other of the lawful authorities of the kingdom, the names and titles shall be altered and changed from time to time, as circumstances may require." These words were a plain comment, which served to explain the intent and meaning of that part of the act; and being so, it appeared to him, to be impossible to contend, that any authority was thereby given to leave out any of the parties so mentioned, or to make any alteration but that of the names. With respect to the proposal of bringing in a new act on the subject, it was for those to do so who thought, that the law as it now stood was inconclusive on the subject.

The *Attorney General* confessed, that he rose to address the House under feelings of considerable surprise. If the law of the question were so clear, so very clear, as the hon. gentlemen on the other side supposed, how did it happen, that, eleven months after the act had been done, those hon. gentlemen came forward with a motion—to do what? To declare that act to be illegal? No; but to declare, that it had been unwise and inexpedient tacitly to admit the existence of the right, by alleging, that the right had been exercised improperly. If the act was illegal, why had the hon. gentlemen opposite so long slumbered? Why had the noble lord begun by announcing a motion, the very same which he had formerly contemplated as an amendment to the proposition of the hon. member for Bramber, and concluded, by making a motion of a tendency altogether different. Why had not that noble lord followed up his original intention? Why had he permitted the speech of the worthy alderman under the gallery (alderman Heygate) on a former evening to affect the line of his proceeding? Why had he not, as in June last, moved at once, to restore her majesty's name to the Liturgy instead of trifling about the expediency of having removed it? To come, in the first place, to the question of legality—why, the very motion of the noble lord was an admission of the legality. [Cheers from the Opposition.] Let not the gentlemen on the opposite benches, however, imagine that he meant to rest the case upon such admission. Not so. Feeling, notwithstanding what had fallen from his hon. and learned friend, the member for Oxford, that the law of the question was most clear and indisputable, he should endeavour to impress the same conviction upon the House. Still he could not help again adverting to the nature of the motion before the House. If the act was illegal, why discuss its wisdom or propriety? Once show the act to be illegal, and no matter what might be the conduct of the Queen; whether it was such as the whole nation might be proud to approve, or such as it must be compelled to condemn, nothing could justify ministers in having advised that act; there was *litera scripta* upon the subject; there was a course laid down for them to pursue; and to recommend any other course, would be, to recommend the exercise of such a dispensing power on the part of the Crown, as no minister, in his senses could venture to advise.

The whole argument of the hon. and

learned member for Oxford assumed, if he had not misunderstood it, that the right of the Queen to be prayed for was immutable, a right annexed to her station as Queen Consort. The immutable right the hon. and learned gentleman had grounded, at first, upon the words of the act of parliament; that ground however, had quickly been shifted, and the hon. gentleman said, "if that," meaning the act of parliament, "does not give it, usage and prescription does." [Cries of "No, no."] He was in the judgment of the House whether those words had not fallen from his hon. and learned friend. Why, indeed, should the hon. and learned gentleman have mentioned usage, if he had not intended to rely upon it? But, both upon the act of parliament and upon the usage, the hon. and learned member should be met. First, he would contend, that the Act of Uniformity gave to the sovereign no star chamber jurisdiction, as it had been called; it did not even give any new right or privilege; all it contained was, a proviso securing those rights which were already from the time of Henry 8th, in existence. The hon. and learned member for Oxford had said, that the act of Charles 2nd, made the form of prayer annexed to it, part of the act itself. Granted. It was then insisted, that that act gave power only to alter and to change; giving no power to add or to omit. Now, it was only necessary to refer to that very form of prayer to find a blank, which, unless by the power of adding and omitting, could never be supplied. Instances upon instances, however, might be cited, in which, between the passing of the acts of Uniformity and the present day, omissions had taken place. The hon. member for Westminster had told the House, that from the year 1546 to the present period, there was no instance in which a queen consort had been omitted in the prayers of the church. It would be seen by the prayer-book used in the time of Philip and Mary, that a queen, not a queen consort but a queen regnant, had been in that situation; for during that reign the king was prayed for, and the queen though queen regnant was not. [Hear, hear, from the Opposition benches, and cries of "queen consort."] Queen consort did the honourable member say? That was the case of a queen regnant; and that queen was not prayed for. The book was to be found in the British Museum; and the form stood "*pro rege, et principibus suis.*" The hon. and learned member for Oxford had ascribed to the Act of Uniformity, that immutable right of the queen to be prayed for, which no king, it was insisted, had power to take away. He (the Attorney General) wished to see the enactment; he desired to have the clause laid before him, under which the immutable right was to be claimed. So far from the course having been uniform from the Reformation downwards, there had been repeated instances of deviation. In the reign of George 2nd, the name of Frederick, prince of Wales had been struck out of the form of prayer. In the commencement of the late reign, the same measure had been adopted with respect to the duke of Cumberland. The words of the act were certainly "to alter and change." The framers of that act had not probably the *copia verborum* of the hon. and learned member for Oxford, and did not think it necessary to employ variety of words where the meaning might be expressed by one; but the advisers of George 3rd, at the period alluded to, men upon whom the hon. and learned member, notwithstanding his aversion to anti-radical and to monarchical administrations, would scarcely pass hasty censure, those advisers had recommended to the king, to strike the duke's name out of the Liturgy, he (the duke) being still in existence.

He would now come to that instance which he took to be an instance of the highest value, and which had been described to the House as an instance of no value at all—the measures pursued towards the queen of George 1st. Did the hon. and learned member really mean to contend, that the divorce mentioned by Coxe was a divorce actually annulling the marriage between the parties? Why, the very same page which spoke of the divorce, stated, that the queen was gazetted as duchess of Zell, and as duchess dowager of Hanover. It was said, that the second marriage, the marriage with the duchess of Kendal, was a good and valid marriage. Why then, was it not set up as a legal marriage? [Hear, from Mr. Wetherell.] He thanked the hon. and learned member for his cheers; he was no more disturbed by them than that hon. member had been by the cheers addressed to himself. The hon. and learned member said, that by the divorce of the queen, the second, the left-hand marriage, became valid. What historian had ventured so to treat it? But, to the more immediate question. If the law was as imperative as the hon. and learned member for Oxford sought to make it, then, no matter what might be the conduct of Sophia, the advisers of the king were bound to say to him;—"the law, the Act of Uniformity, has given to the queen so immutably the right of being prayed for, that no ill conduct on her part can abrogate that right;" and, neglecting to take that course, the ministers of George 1st, were at least, as blameable as the present ministers, who had merely advised the sovereign to omit inserting the name of the Queen specifically in the Liturgy, retaining it only insomuch as it was still comprehended in the general title of "the royal family."

Before he quitted the question of legality, there was one further argument to which he would advert. The House had been told, and by the hon. and learned member for Oxford, that the queen consort was as fully entitled as the king himself to the submission and to the allegiance of the people. This was a new principle of law, and he could not conceive where his hon. and learned friend had met with it. He had always, for his own part, understood, that the queen consort, with all her privileges, was but a subject of the realm. He had always considered it just as clear a matter of law, that the queen was to pay allegiance as that the king was to receive it. These were points upon which he had never entertained any doubt, until, out of doors, he had heard of the Queen addressing the people as "her subjects." He had listened with pain, without doors, to such language; certainly he had never expected to hear it uttered in the House of Commons, especially by a lawyer, and still less by a gentleman of such approved loyalty as his hon. and learned friend the member for Oxford. The Attorney General concluded his argument upon the first part of the question, by lamenting the form of the noble lord's (lord A. Hamilton's) motion, as peculiarly calculated for the purposes of party; and by expressing a hope, that upon the legality of the act in discussion, he had satisfied those members whose minds were open to conviction.

He would occupy the time of the House but a very few moments on the expediency of the exclusion of her majesty's name from the Liturgy, and he would now put it to the House, whether they were prepared to say, that the measure at the time of its being advised was inexpedient? A charge of a most serious nature was then hanging over the Queen. The commission who examined the evidence in support of it had been branded as illegal, without knowing what the commission was. The assertion was a gratuitous one on the part of his hon. and learned friend. But be it legal or not, with that question they had nothing to do at present. Evidence was in the possession of ministers of a serious charge against the Queen, which evidence they believed satisfactory. Under such circumstances he would again ask, whether the House was prepared to say, that it was not expedient to give such advice? It was not his intention, now to provoke discussion, on the subject of guilt or innocence. He was desirous to confine himself to the question, and regretted, that his hon. and learned friend had not done the same. If the evidence in the possession of ministers, before the subject had been brought forward, left any doubt as to the expediency of the advice, that which was subsequently disclosed put it beyond all controversy. While her majesty continued princess of Wales, he would not say, that, even with such evidence before him, if so humble an individual were consulted, he would have advised the removal of her name. But when a change in the Liturgy became necessary, while such a charge was hanging over her majesty, if her name as Queen Consort had been inserted, with what face could ministers afterwards have come down and said,—"We have a charge against the Queen, which, as we think, forms a ground, not only for degradation, but for divorce?" The answer would immediately be,—What, you who advised her name to be inserted in the Liturgy, who placed her in the enjoyment of all the rights and privileges of Queen Consort of these realms! This motion, however the noble lord might disguise it, was the very same in substance as the one he had brought forward last session for the restoration of her majesty's name to the Liturgy, though evidently intended to answer another purpose. A few words as to the religious part of the question. The truth was, it embraced no religious consideration whatsoever, as had been clearly shewn, upon a former occasion, by the member for Bramber (Mr. Wilberforce). Her majesty was not shut out from the prayers of the people, because she was prayed for under the term, "royal family." The only question was, whether, under the circumstances, she should have any particular mark of respect shewn her, beyond other branches of the royal family. He hoped, he had now satisfied the House, that by this omission there was no infringement of the Act of Uniformity. The question at last, came to this, whether they were prepared to say, that his majesty's ministers were not justified by circumstances in the advice they gave, and whether an address should be presented to his majesty, praying, that the Queen's name might be restored to the Liturgy.

Mr. *Wetherell* explained. He had not contended, that the Queen Consort was entitled to the allegiance of the people. What he had said was, that from immemorial usage, the Queen was entitled to all those external symbols of respect and marks of homage that were paid to the king.

Sir *James Mackintosh* assured the House, that it was with great reluctance he rose to address them at an hour when their patience must be nearly worn out, and upon topics which were not generally acceptable to that assembly; but having satisfied his own mind of the illegality of the exclusion of her majesty's name from the Liturgy, he felt that he was bound, at every inconvenience, to deliver the opinion which he had formed upon reflection, and which he should carry with him to the grave. He was convinced, that the advice given by his majesty's ministers was a violation of the written and common law of the land; a subversion of the rules of justice, and an attack upon the principles of the British monarchy. He did not mean to go at any length into the arguments on the subject; his task was an easy one, after the able manner in which the question was treated by his learned friend the member for Oxford, whose arguments appeared to him the most conclusive, the most luminous, and the most satisfactory he had ever heard. His reasoning was unanswerable, and he should therefore, merely confine himself to a few observations on some points urged by his hon. and learned friend the Attorney General. The arguments of his hon. and learned friend, and of the right hon. the president of the Board of Trade, were arguments, *ad hominem*, charges of party feeling and of other vague motives, without deciding any thing either as to the law or the expediency of the question. The Attorney General charged his noble friend with altering the object of his motion. If he looked to the order-book, however, he would find, that the motion, of which his noble friend gave notice, respected omission and not insertion. They, on his side of the House, were taunted with inconsistency, for slumbering on this question for eleven whole months. There was no ground for this charge. He himself had argued the subject in June last, and his noble friend, soon after, gave notice of a motion for the insertion of her majesty's name in the Liturgy. The bill of Pains and Penalties then came on, and proceeded with such rapid strides, as to leave no time for any other consideration, and no opportunity for bringing on the motion. There was another objection of a most extraordinary nature. They were charged with expressing the motion in a manner too mild. Whatever might be the sense they entertained of his majesty's ministers, and however anxious they might feel to convey the truth to his majesty's ear upon so important a subject, it was still their duty to convey their sentiments in expressions of the most mild and least offensive nature. This charge, therefore, was worth nothing. It merely shewed the disposition to find fault, if there was the least ground for it. It was a strange objection, therefore, to urge, that ministers were charged in the motion only, with an act of inexpediency, and not one of illegality. They were also told, that they had shewed much adroitness in bringing this motion forward, so as to make it a mere party question, a mere charge against his majesty's ministers. And how were they met by ministers? by moving an adjournment, by praying, that the House would not pronounce judgment on them. They prayed, that the question should not be gone into, that no witnesses should be examined, that they might be exempt from trial. They endeavoured to evade the decision of the House one way or the other. The absurdity of this was the more apparent, as ministers had staked their credit on the legality of the advice. Such was their confidence in the justice of their case, that they did not venture a direct contradiction, but begged, that the House would not proceed to trial, that no judgment should be given.—He would now tell his hon. and learned friend, the Attorney General, that his argument drawn from the case of Philip and Mary had no force. To prove it, what did his hon. and learned friend do? He quoted the mass-book in the time of Philip and Mary. He introduced the Popish ritual; as if Philip and Mary were supreme heads of the Church of England, a title they would have looked upon as damnable and heretical. The fact was, that the name of the queen was never found in the ritual before the Reformation. He would next come to the case of the princess Sophia. His hon. and learned friend seemed to think, that she could not have been divorced, as she was called in the gazette by the name of the duchess of Zell. Did he forget, that she inherited this title from her father, that she was the daughter of the duke of Zell, from whom she inherited large estates? Her being styled duchess of Zell at her death, appeared to him pregnant proof of her having been divorced. His hon. and learned friend contended, that there was no divorce *à vinculo matrimonii*. He, however, thought there was. Every person knew, that in all Protestant churches, except that of England, a divorce *à vinculo matrimonii* might be obtained in a consistorial court; and the noble lord himself (Castlereagh) admitted, in alluding to this subject last session, that the record of this divorce was still extant in some of the consistorial courts of Hanover. George 1st, could as easily have obtained a divorce *à vinculo matrimonii* as a divorce *a mensa et thoro;* and therefore, the probability was, that he obtained it. This case of a woman, about whose guilt he had no doubt, who had been confined eighteen years previous to the divorce and thirteen years after, and whose divorce passed *sub silentio*, appeared to him to supply but a wretched argument. Such evidence would not be thought sufficient in a common case of trespass or right of way. The parliament of England, at the time, had no means of obtaining information on the subject, for it never occurred to them that they could send clandestine commissions even into Hanover, for the purpose of examining witnesses. The weight attached to this case appeared to him most decisive proof that the gentlemen opposite felt the weakness of their argument. Why go back to the time of Henry 8th, when the member for Oxford confined himself within the period that elapsed since the Act of Uniformity? His learned friend, the Attorney General, seemed to think, that the member for Oxford founded the meaning of the statute on usage. What he had said was, that if there remained any doubt as to the import of the statute, the usage was sufficient to explain it. He had not yet heard distinctly from the opposite side, whether they rested on the Act of Uniformity or Supremacy, or whether they construed the words "alter and change" to imply omit. On this last point the whole question turned. Did his learned friend, the Attorney General, mean to contend, that the 13th and 14th of Charles 2nd, made no change in the law? If his reasoning was correct, it effected no alteration, and the act was quite nugatory. So far from this being the case, it appeared to him, that though small the power of altering and changing, they inserted the clause for the special purpose of reserving that power to the Crown. There would be no necessity for such a reservation if it possessed the greater power of omitting. The clause, so far from vesting an indiscriminate power, was made imperative, "that the names *be* changed," not that they may be changed. If such was not the sense of the words, sir Matthew Hale and lord Clarendon were ignorant of the language; and he should prefer being wrong with their ignorance to being right with the learning of the gentlemen who argued, that such was not the import of the clause. They who argued thus, contended, in effect, that a special provision was necessary in the Act of Uniformity, for altering and changing, while the greater power of omitting, remained untouched—The question for the House now to decide was one which they only were competent to decide; and which was a question far more important than the present, namely; whether or not, the queens of England should be degraded from that constitutional independence in which the wisdom of our forefathers had placed them, and which they had enjoyed for centuries, and be reduced to be the slaves of every administration? The next passage in the act was:—"that the names of the king, queen, and royal progeny shall be changed and altered from time to time." Now, he asked whether the words "altered and changed" could have any view to delinquency or moral turpitude? Was it not more consistent with common sense to say, that these words had in view the alterations which must take place by births, deaths, or marriages? Could it be said, that coupled with the words "from time to time," it meant delinquency which might occur from time to time?

Could it be really believed, that those lawgivers who were so remarkable for their piety, their policy, and their learning, had in view, when they used the words "fitted for the present occasion," any thing but the changes which must take place by the course of nature? The clause did not say, there should be a change of persons: no, it only said, that there should be a change of names. Some weight had been attached to the words "by lawful authority;" but what did those words mean? That it was not fit to leave a discretion in the breast of every incumbent of a parish, to decide who were the king, queen, or royal progeny. If that were allowed, we should, about seventy years ago, have heard queen Clementina, king James, and Charles prince of Wales prayed for in most parishes in England. This was the real meaning of the passage. It did not intend, that a discretionary power should be lodged in the breast of the king, or that these persons should be prayed for by his order; but "by lawful authority," that was, that the church should appoint the persons to be prayed for who filled the situations. He must say a few words more with respect to the usage since the passing of the Act of Uniformity. It had been said, that there was an instance in the reign of Charles II, of a presumptive heir to the throne being prayed for in our churches. This, however, was not the regular practice; and there had been no similar instance since that period. But, prince George of Denmark, it was urged, stood in the same political relation to queen Anne as that in which the present Queen stood to his majesty George IV; and yet, his name was not introduced into the Liturgy. Was not this readily accounted for by the circumstance, that the 25th clause in the Act of Uniformity made no provision for, and no mention of, the husband of a queen regnant? He came not under the description of "king, queen, or royal progeny;" and it was the opinion of the great statesmen of that day, that the Act of Uniformity was to be construed strictly. He believed, there was no correlative word in the English language, to answer in the case of a woman to the epithet "uxorious" in the case of a man; but it was well known, that queen Anne, whatever might be her virtues or defects, was a fond and devoted wife. Prince George of Denmark was not of an ambitious character; but had any desire been expressed for inserting his name in the established ritual, lord Somers might have resolved every scruple on the principles now contended for, by telling her majesty, that she had the same power over the Liturgy which the pope exercised over the formularies of his church. But he and his illustrious colleagues believed some respect was due to the plain and unequivocal sense of an act of parliament. In fact, every case and argument adduced on the other side came in direct support of the proposition which they were intending to overthrow; but it was not upon cases or arguments that the noble lord opposite seemed to build his hopes of security. It was remarkable, that the name of the princess Sophia of Hanover, whom queen Anne disliked, was inserted at the same time that the name of her husband was omitted. Her name was inserted as daughter of the princess Elizabeth, and grand-daughter to James I.; and the circumstance proved the respect and reverence which was then entertained for the Act of Uniformity. With regard to the omission of the names of the prince of Wales and the duke of Cumberland, in the year 1728, they having been previously inserted, it was not a little remarkable, that in the year 1731, when Geo. I, and his eldest son were in open hostility, his name, as well as that of his brother, was restored. Why was this done? or upon what supposition could it be explained, but that the omission was discovered to be faulty and illegal? The last precedent referred to was, the omission of the duke of Cumberland's name at the commencement of the late reign. George III, certainly bore no good-will towards his uncle, nor was it for himself as a Highlander to deliver a panegyric on that illustrious person, who, although a very good Whig prince in England, was certainly not a very merciful commander in Scotland. He had never meant to deny that the words "royal progeny" must be understood with some limitation, and that it was for the lawful authority to judge how that limitation should apply. The whole progeny of the princess Sophia might now consist of several hundreds, the mention of some of whom might excite a smile in that house; for, in fact, amongst them were two young gentlemen of the name of Buonaparté. The question was, whether one instance in the year 1760 could justify a proceeding directly contrary to law. He had imagined, that something must be in reserve when this exclusion was first adopted, that ministers must be prepared to defend the measure by some argument which did not occur to his mind. He had expected, that it would, at least, be shown to have been an exercise of doubtful power. But the speech of the Attorney General had undeceived him; and he now regarded it as a clear breach of the law, an invasion of the rights of the royal family and of the principles of hereditary monarchy itself. Of all the reasons which could be given by persons of sound reason and understanding, that given by the president of the Board of Trade was the most extraordinary; namely, that ministers wished to effect some arrangement. The principle upon which they proceeded was, to him, new in the system of diplomacy. This was the first time, that he ever heard of negociators attempting to effect their object by offering a decided insult. He agreed with those who said, the Queen, if she believed herself innocent, had no alternative but to come here, or to be satisfied to be branded as an adulteress. If ministers desired to hold the balance fairly, not to poison the fountain of justice, and to do their duty to a royal personage, would they have pursued the course which they had resolved upon? What did they do? They had her proclaimed weekly from twenty thousand pulpits an adulteress. The omission of her name in the Liturgy, coupled with the reports in circulation, could suggest nothing else. Was not this a deviation from justice? Yes; so complete a deviation from justice, that he, if he had a hundred lives, would sooner lay them down than take a part in them. Ministers might talk of policy and of law, and many members in that House, who, when they heard a lawyer speak, thought the probability was, that it was a doubtful question, and that they would act as safely by voting with their friends; but in the case of the Queen there was not much difference of opinion, as men of all parties, who would lay their hands upon their hearts, must deplore the omission as a most unfortunate occurrence; there was no man of good sense in private life who did not express his regret in the firmest language. Knowing these things, he was surprised how these men could support a political crime which had been committed by ministers. Was it wise in ministers, who apprehended so much from discontent, to excite such a deep interest upon a political question which did not require to be decided by any nice rules of logic. He had not conversed with one intelligent person, whatever were his political opinions, who did not deplore the original omission. If the cry of the people had been for punishment and blood, as in the case of lord Strafford, whom he regarded as a guilty man, he would have offered himself a sacrifice rather than lent it any sanction; and he would have acted in the same manner when the innocent and virtuous lord Stafford fell a victim to popular delusion. But when it was for lenity and indulgence towards an unfortunate lady, he thought, that such a cry might be listened to by a prince of any humanity even at Constantinople or Morocco. But, in this instance, the illustrious object of popular favour had been degraded before trial, prosecuted without cause, tried upon insufficient evidence, and was subjected to punishment after acquittal.

The *Solicitor General* contended, that the motion went in substance to address the king for the re-insertion of the Queen's name in the book of Common-prayer, and it was for the House to consider whether it would assent to such a proposition. The noble mover had observed, that the country was in a state of ferment and irritation; and did he think, that this motion was likely to allay that ferment? He must, however, congratulate the House on the new lights which had burst in upon them, for certainly it was but a recent discovery on the part of gentlemen opposite, that the Queen had a legal right to have her name inserted in the Liturgy. He begged leave, in support of this statement, to advert to the conduct of those gentlemen, who in June last, proposed to negociate for an equivalent. With respect to the legal question, it was not his intention to say much, as his learned friend, the Attorney General, had entered so extensively into that point. He would merely observe, that from all the references and precedents that had been used, as also from the transactions during the reign of Henry 8th, and the provisions of the Act of Uniformity, it was manifestly clear, that the right of inserting the Queen's name in the Liturgy was vested in, and remained immediately with, the sovereign for the time being. As a corroboration of this opinion, he would refer the House to the schedule which accompanied the Act of Uniformity. In that schedule a specific prayer was appropriated for the king, and one for the Queen, and the royal progeny was attached to it, by the particular direction of the king. If the Queen had a right to be prayed for, so also had the whole of the royal progeny; and as the royal progeny had no clear and legal right to the insertion of their names, by what system of law could a Queen Consort claim it? Much had been said upon the feelings throughout the country upon this question: he thought the question had been handled for the purpose of attacking, and it came with the less grace from the Whigs, inasmuch as the very order in council which had been so much complained against was a mere transcript of one of a similar nature, which was framed and passed by the Whig aristocracy of the country. He mentioned this not as a reproach to that body of individuals, but to shew how ill-founded their arguments were. There was a wide difference between excluding her majesty's name and inserting it. If, indeed, it had already been inserted, then the propriety of erasing it might become a matter of doubt; but here no insertion had been made, and the king, exercising his royal prerogative, was called upon on this occasion, to do so with a fair and justifiable reference to the circumstances of the case. The question therefore was, not whether his majesty had the right to erase the Queen's name from the Liturgy, but whether he had omitted to insert it upon reasonable and constitutional grounds. His hon. and learned friend had argued, that because the name of the husband of queen Anne was not inserted in the Liturgy, therefore the sovereign had no power to insert it, the name not belonging to any of the royal progeny; but his hon. and learned friend was under a mistake; for the wife of Frederick, prince of Wales, although no part of the royal progeny, had her name inserted in the Liturgy, and she was afterwards prayed for as princess dowager. This showed the discretionary power vested in the sovereign; and again in the case of Frederick prince of Wales, the name was omitted, not as his hon. and learned friend supposed, by accident and during infancy, but when that prince had arrived at a state of manhood. The same had occurred in the case of the duke of Cumberland, whose name was omitted and inserted at pleasure, and without complaint. His hon. and learned friend was under a mistake, when he asserted, that the name of the queen of George the First appeared in the gazette as duchess of Zell; she appeared as electoress dowager of Hanover. There was no divorce *à vinculo matrimonii* in that case, but a mere separation; so that she was indisputably queen of England; and as such, if the doctrine of the hon. and learned gentlemen opposite was correct, her name ought to have been inserted in the Liturgy. From all these cases, he contended, that the king in council had a right, if he pleased, to omit inserting the Queen's name in the Liturgy. In the case of her present majesty, if there was no claim of right could there be one of courtesy? What were the circumstances of her situation? Look at the way in which at least a part of the evidence against her was supported. That evidence had been before the public, and every body was acquainted with the effect of a part of it. It was a little too much for the member for Westminster (Mr. Hobhouse) to claim credit for his impeachment of one of the witnesses, when he did not come forward and impugn him at the trial. Knowing the charge which was then made, knowing the evidence which was adduced in support of that charge, and being in possession of the statements which accompanied that evidence, as also of the highly honourable characters who made those statements, and their personal worth and respectability, he felt no hesitation in saying, that it would have been impossible, as well as impolitic, it would have been derogatory as well as unconstitutional, to have extended any act of grace and favour to an individual so charged as her majesty was. But it was said, that this was prejudging the Queen. If her majesty's name had been struck out, then, indeed, that assertion might be made with some foundation. While these charges were pending, his majesty's ministers could do no otherwise than they had done. With respect to the feeling of the country upon this subject, he was not afraid of popular clamour. He relied upon the soberness and the prudence of a large portion of the community, who were satisfied, that nothing but the best motives actuated the individuals engaged in this enquiry and on whom they placed the most implicit reliance. He was not disposed to re-agitate the question which had been ably touched upon the other night by the hon. member for Sudbury; but he would take that opportunity of observing, that if ever a malignant falsehood appeared—if ever a disgraceful libel was published—it was contained in the notorious letter addressed to the king. [Cries of "Name the Passage."]—It would be quite unnecessary, he was sure, for him to take up their time by alluding to any particular passage in the letter, as they must all of them have read it; and having done so, if they did not already concur with him in opinion, he was satisfied no argument he could produce would induce them to do so. He would conclude by observing, that it was his opinion, that the present motion was a mere prelude to an address to the king, and he sincerely hoped the good sense of the House would reject it. His impression was, that no person could agree with the present motion without being alike an enemy to the monarch and the monarchy, itself.—[Loud cries of "Order" and "Take the words down."]

Lord *Milton* spoke to order. He said, it was quite beyond the bounds of debate for any member of that House to insinuate, that another member could not vote for a particular motion then under discussion, or which was likely to arise out of the discussion, without taking a part against the monarch and the monarchy itself. Such a declaration was contrary to the whole course of parliamentary proceedings; and such words were never used without being made the subject of animadversion and correction from the chair.

The *Solicitor General* begged to explain. The present motion, he said, did not go the length upon which he had animadverted. He had only said, that if it were followed by another, of a particular nature, and that second motion carried into effect, which he was persuaded it could not, from the turn the present motion must take, that, in that event, he thought a particular consequence must follow. He disavowed imputing any motive to any hon. member, or any injurious effect to the present motion, which he was persuaded would fail.

Lord *Milton* again said, that for any hon. member to say, that any motion would lead to another motion, which was an attack on the monarch and monarchy, was a breach of order, which called for the interposition of the Speaker.

The *Speaker* expressed his regret, that he had not accurately caught the words attributed to the hon. and learned gentleman. The right hon. gentleman then stated, what he inferred to be the effect of the expressions used, and drew a distinction between an effect prospectively imputed to be the result of a motion by way of argument, and a motive ascribed to an individual as intending to produce that result. The latter would be highly disorderly; the former in his opinion not so.

The *Solicitor General* disavowed imputing improper motives to the noble lord who brought forward this motion.

Mr. *Scarlett* observed, that the present question was one which mainly involved the stability of the present ministers, and they themselves had made it a question of that nature. At so late an hour, he did not wish to enter deeply into its consideration; but every man who valued principle, who valued the dignity of the throne and the maintenance of the constitution, was called upon to make a stand for their defence. The due administration of justice was concerned in this question; but confident declamation could neither alter its nature, nor detract from its importance. The present question involved the fate of ministers; but the president of the Board of Trade had met the charge against his colleagues by a vote of adjournment. This was a proof of the justice of their cause, of the manliness with which they dared to meet it! The world, however, would judge of this. Honest men of the present day would see it as it deserved to be regarded. Why did not ministers call on their majority to bear them through their appeal? Their confidence bespoke, that at least they had some colour of justice or mistaken policy on their side. In the hour of trial they were found to have neither. It was said, on a former occasion, that the time might arrive when discussion would come. That time was now come; and, to the great dissatisfaction, he believed, of all sides, the merits of the government were not to be discussed, nor the necessity of their measures met by any decisive measure. The Solicitor General had spoken very confidently; but confidence was not proof nor assertion always fact. The House of Commons was not, perhaps, the best tribunal to discuss legal topics;

but on common-sense subjects, on subjects where good feeling and sound patriotism were concerned, he was satisfied their decision would be guided by a sense of justice. He would venture to say, there were not ten gentlemen in the House who would, in a private room, have any difference of opinion on this important subject. The Solicitor General had appealed to the honourable feelings of the House. He also would make the same appeal; and he would add to it, an appeal to their justice; and on that combined appeal he was satisfied no two men would disagree. The case of the Queen was simply this—trial before accusation—punishment before conviction. The ministers said, they did not wish to prejudice her case, or to prejudge it. What did the whole tenor of their conduct display—what, but the very opposite to that which they had promised? The ministers alleged, that they had charges against the Queen. What then should have been their conduct—what was, in point of fact their duty? The state of parties could not have been affected by an honest policy—insincerity had brought with it an intricacy and a cruelty of proceeding, and with it their defeat. The conduct of ministers was of that nature, that it prejudiced the administration of justice: they issued forth opinions of guilt before trial, and a privilege not denied to the meanest individual was refused to the second person in the State. The expediency and policy of the proceeding were altogether out of the question. His majesty's government no longer wished to have their measures tried by such a test. On these points they totally failed. On the law of the case, the hon. and learned member for Oxford had left them not a word. It was said, in the course of the debate, that Henry 8th, had all the power he could choose; but surely no man meant to infer from that, that a constitutional sovereign could either wish for, or exercise such a power. But even in the time of Henry 8th, it was urged, that his proceedings were intended for the peace and tranquillity of the realm; it would be for the House now to decide whether the measures of his majesty's ministers were calculated for the same purpose. But why was the House of Commons now talking of Henry's power, which seemed only a parallel to that of the pope; when by the Act of Uniformity, all such powers were confined within the regulations of law? The argument of the Solicitor General was this: "The king has the power to alter the whole Liturgy, or he has not." But how was that made out? By assertion; by an exception to rule cases: the question was not once met distinctly by him. Then the case was doubtful as to the right of exercising such an authority; and if it were doubtful, caution should have been used, and punishment should not have been inflicted on an uncertainty. The whole shewing of the arguments on the other side, evidently proved, that something was intended to affect the dearest interests of the Queen; and sure he was, that before an audience representing the feelings of the British people, judgment before accusation would not be admitted. Was it to be contended, that his majesty could, of his own caprice, strike the names of all he pleased out of the Liturgy? For if this was not contended for and maintained, the erasure of her majesty's name from the Liturgy was evidently illegal. The charge against the Queen was but *ex parte*—the decision by ministers was final, and thereby had they passed judgment on themselves. They withdrew the bill, evidently fearing, the House of Commons might not be of the same opinion with the House of Lords, and that public opinion might, as it had done, boldly act against it. With all their professions of a love of justice, why did they not allow a right of appeal? The whole complexion of the evidence against her majesty was doubtful; why then pronounce a decided judgment. Such, however, was the ministers' love of justice—such their wish not to excite prejudice! The truth, however, was, that they paid more deference to their places than to their sovereign. They brought on the measure, he sincerely believed, against their wishes and their judgment. In the House of Lords they had a majority of nine, and yet they preferred the abandonment of what they said was necessary to their existence, rather than lose their places. They made no sacrifice, but to their office. He would not longer detain the House, but he called on those who imagined, that if they were left in the minority on this occasion, they would give up their situations, not to refrain from voting against them on that account, convinced as he was, that no vote of censure, no expression of disapprobation, would ever induce them to forego the advantages of office.

Lord *Castlereagh* commenced by observing, that it was not his intention, on account of the extreme lateness of the hour and the fatigue consequent upon so protracted a discussion, to enter at greater length into the question, than the briefest review of its merits would require. He would compress into the smallest possible space those observations which he found it necessary to offer to the House. But at the outset he could not avoid saying, that notwithstanding his long experience of the practice of parliament, and his knowledge of its various tactics, it had never before fallen to his lot to witness so rich a specimen of inconsistency, so rare a combination of incongruities, so total a dereliction from the common usages of that House, as the ingenuity of the gentlemen opposite, on that night, presented to his view. He must protest against the introduction of arguments such as those which were advanced in the speeches of some gentlemen who had preceded him, and which were founded upon colloquies and rumours out of doors. It had been urged, that the character of his majesty's ministers, and their entire conduct, were involved in the truth or falsehood of the charges against her majesty. This extravagant notion he at once and unequivocally denied. The conduct of the king's government was not committed upon the issue of those charges. It was his duty, and that of his colleagues, indeed, to take care that charges should not be made against that illustrious person on slight and frivolous grounds. That duty they had strictly performed, and every unbiassed mind would, in its own conviction, bear him out in the assertion. They had been charged also with the exertion of political influence to bias the course of justice; this also he denied. On the contrary, when the charges were brought forward, and it was found necessary to institute proceedings against her majesty, the government wished all those with whom they had political connexions, to act in complete oblivion of that connexion; and the gentlemen opposite had only to look to the result, and they would mind that noble persons who had been supposed under the influence of government, and even some who shared the private intimacy of the sovereign, had acted on that occasion with the greatest freedom of opinion and conduct. He regretted, that he could not pay a similar compliment to the hon. and learned member who had just preceded him, and many of his friends; he regretted, that their conduct had not been so free from the taint of party motives; but he was convinced, that every rational and honest man in the community would acknowledge, that government had acted, throughout the whole of that important business, with more pure disinterestedness than could be attributed to their political enemies. The hon. and learned gentleman who had preceded him had given a different exposition of the nature of the motion from that which it had previously received. He had put that motion in the light of a vote of censure upon the members of the administration; if it was so, a censure more disgraceful to those who introduced it never was made a subject of debate in that House. It was a novel plan to select a single point of censure, whereby to attempt to overwhelm with disrepute the whole conduct of an administration, and, by this means, to pick up a few votes, which might be made use of to their injury in an oblique and covert manner. Was he speaking of suppositions or facts? Let the case be fairly looked at. Was any clear and definite proposition made? Was any tangible measure proposed? No; the motion contained nothing of the kind. It had, indeed, been broadly hinted, that, at a future time, some step might be taken towards the re-insertion of her majesty's name in the Liturgy. Such observations it was well worth observing, had not been followed by any practical, any intelligible resolution whatever. It could not therefore be concealed, however artfully disguised, that the real object of the present motion was, to secure the votes of a few members, who on former occasions had not expressed a decisive opinion. In the face of such conduct, was it possible any one could believe, that the gentlemen opposite were actuated by a desire to do justice to the Queen or country? Had such been their intention, their conduct would have been widely different; but he would boldly assert, that they were making use of the Queen's name for their own purposes—they were sacrificing her to their own selfish interests—they were throwing her majesty overboard in order to put down the actual government. As to the legal merits of the question, if ministers had committed a violation of the law, it was the greatest joke that could be. With respect to the motion itself, the words "ill-advised and inexpedient" had reference to what happened a year ago, and did not bear at all upon existing circumstances. If he were attacked openly he would meet it by an open defence. But a covert attack of this kind was not entitled to plainer dealing than that on which it acted. Had the framers of the motion come forward boldly with a vote of censure he would have met it with like boldness, but they had had recourse to a system of management which could only be met by management. When a motion was introduced which conveyed an unfair and indirect censure upon administration, and when it could lead to no practical result, it was proper to meet it by moving the other orders of the day, or by a motion of adjournment. It was very extraordinary, that those generous-minded defenders of the Queen, who pretended to take such a chivalrous care of her interests, had allowed twelve months to elapse since government had perpetrated, he would use no other word, a great injustice against the Queen, and at the end of that time should come forward with nothing better than an airy and abstract proposition. It was strange, that this act of injustice should have been allowed to go unpunished so long; and it was still more extraordinary, considering the zeal which some honourable members had evinced on points comparatively insignificant, which related to the character of the Queen. It would be recollected that one of those gentlemen had even entered the field and fired a shot against "The Western Luminary." He hoped he was not planet-struck when he engaged in such an adventure. But the fact was very curious, that while so much anxiety was shown to chastise a wretched newspaper in the West of England, which had used some coarse and vulgar language towards the Queen, not a word was said about the omission of her majesty's name, either by the hon. gentleman, or the great luminaries of the law on the opposite side. The House was, indeed, at that time, so far from regarding the act as either illegal or ill-advised, that even the honourable member for Bramber (Mr. Wilberforce) did not think proper to introduce in his motion, a word relating to it, and he committed the feeling of parliament on that subject. It was true the noble lord (lord A. Hamilton) had maintained on that occasion, the same opinion which he did now; but the House then scouted it by so overbearing a majority, that when the votes were about to be taken on the amendment, he preferred, that they should be taken in the negative of the original motion rather than risk his own amendment. And even upon such a decision of the question, what were the numbers? Why the numbers in favour of the original motion were 391, and against it 124, and even of that 124, several would have voted against the amendment had the noble lord pressed it. If ministers, then, had done any thing legal or ill-advised the House was an accomplice, for their conduct on that very point met the sanction of parliament, when they resolved, in July last, to address the Queen. It was in contradiction to that measure of parliament, that the present question was agitated—that measure which had been made the subject of subsequent negotiation. But he trusted, that parliament, who had given their sanction to the act which the motion censured, would act with consistency, and treat that motion as it deserved.—He would not enter at any length into the law of the question; but as to that subject, there was nothing so decisive in the clause on which the arguments of the noble lord so much relied, as to make it imperative upon the king's government to insert in the Liturgy her majesty's name. The reason for passing the Act of Uniformity, seemed to have been forgotten or misconceived by some gentlemen on the other side. That act was not passed through any jealousy of the power of the Crown, but merely to prevent encroachments and alterations from being improperly made in the prayers of the Church, and to counteract heresies and schisms dangerous to the established religion. That clause was consequently inserted for the purpose of shewing, that, though the general prayers of the church were not liable to alteration, yet those collects, and that part of the litany which affected the royal family, were open to the discretionary revision of the king in council. This discretion was not an ecclesiastical anomaly; it was perfectly analogous with the spirit and genius of the political constitution, which gave to the king the control and direction of all the concerns of his family, and of every individual in it. There was nothing like a jealousy of the royal power exercised in the management of his domestic relations. To the king our constitution had given the important duty of the education of his own children; and had, in a great measure, given him a power over their marriages. It would be therefore a precedent of a most dangerous character, if the House was, for the first time since the commencement of the monarchy, to arrogate to itself the right of interfering with the king's direction of his own family. On this principle the most injurious innovations might be supported. If they could force the king to reinsert her majesty's name in the Liturgy, which, in the exercise of his royal prerogative, he omitted, then might they also interfere with regard to the allotment of a palace, or insist, that she should share the honours of the coronation, or receive other marks of the royal grace and favour, which, under other circumstances, the king would have been happy to have bestowed upon her. And here he could not avoid observing upon the mode of argument resorted to by the gentlemen opposite. They had spoken as if their feelings were quite outraged, by the omission of her majesty's name previous to her being put upon her trial; they called it a prejudgment of the case, and expressed themselves as if their feelings were quite shocked by such an exercise of the discretion of the Crown; but such a charge did not come from those gentlemen with a very good grace; it could not be forgotten, that when their party impeached lord Melville, they did not hesitate to prejudge his case, by striking his name out of the list of privy counsellors. Did they feel any delicacy then? No; on the contrary, when they had voted for the impeachment of that valuable and useful servant of the Crown, although he had actually retired, they were not content until they dragged him out of the privy council, and inflicted an unnecessary stigma on his name. Their delicacy, of which they now boasted so much, did not then prevent them from advising the sovereign to degrade, before trial, his old and faithful servant, and to perform the most painful act, which any monarch had ever imposed upon him. Where then, he would repeat, was the considerate love of justice to which those gentlemen pretended, and which they talked so much of in the case of the Queen? But what was their conduct relative to the Queen herself? Did they, on a former occasion, when her honour and character were affected by secret charges, give her the benefit of a public trial? Did they proceed according to any of the known and received forms of justice, or the established laws of evidence? Or did they not place her whole life and character under the investigation of four commissioners, having at their head lord Erskine himself; who was in the habit of talking so much about the inestimable privilege of trial by Jury, and who lately boasted that he had spent his whole life in the defence of the laws of his country and the maintenance of the pure principles of British justice? Was it for the party who sanctioned such an inquisitorial mode of proceeding to talk now of delicacy and impartial justice? Their professions would be rightly estimated by their practice, when it was recollected, that they had instituted a secret tribunal to try the Queen herself, of which the illustrious person accused knew nothing, did not know that it was even in existence, unless as far as she was made acquainted with it by rumour, and which secret tribunal closed its sittings without giving her an opportunity of offering a single word in her defence, until she was brought up to receive judgment from the late king; and a heavy judgment it was, and must be considered, as long as there was any thing like female delicacy in the nation. Never had the Queen cause to complain of any body of public men so much as of those who had lately become her zealous and ardent partizans, but who had sacrificed her before for their purposes, and were doing the same now, under the specious pretext of a love of justice and regard for the injured reputation of a woman, whose character they had before held up to public and private animadversion. That she should be politically connected with this party was the greatest of all her misfortunes, and from his soul he felt compassion for her situation. He had still at hand more proofs of the sort of delicacy which belonged to gentlemen opposite, and which had usually characterised their proceedings. He would ask, what was the evidence on which they had refused to one of the members of the royal family, such a revenue as would have enabled him to have lived at home—were they not guided in that harsh and precipitate mode of proceeding by idle rumours out of doors, and by the veriest slanders that had ever been propagated? If such was their conduct on that occasion, what right had they now to impute to ministers a want of delicacy towards the Queen, when they were in possession of such heavy and serious charges against her? For himself, he could safely affirm, that he had acted as the nature of the case absolutely required, and the public interest demanded; and were that act to be done again, he would pursue exactly the same conduct, which he felt not to be an optional matter at all, but an imperative duty. He had acted in such a way on that occasion as a regard for the public honour, as well as the consistency of government, required; and parliament saw it in the same way, when they made the erasure of her majesty's name the basis of the negotiation which followed. In a case so surrounded with difficulties, and involving such high and complicated interests, his majesty's government did not act without due deliberation. They were, he would frankly acknowledge, under considerable embarrassment, on account of the use which they saw would be made of the question by the seditious and disaffected. It was much to be regretted, that the law on the case was not more clear; he wished it had been so; but as it stood, if they had at first inserted her majesty's name in the Liturgy, while such heavy charges against her lay upon the council table, and had been afterwards under the necessity of erasing it, on account of the confirmation of those charges, the moral indignation of the country would have burst upon them in such a way, that they could not have withstood it. It was true, that since the bill had been withdrawn, the Queen stood in the situation of a person technically acquitted, and was in the enjoyment of her rights as Queen Consort, as if her character had been unimpeached. She had come out innocent according to the forms of law; and those privileges to which she had strictly a lawful right she was in possession of. But, was there no resting place to be found between the strict rights of law, to which she was clearly entitled, and those matters of grace and favour which it was the pleasure of the Sovereign to confer or withhold? The insertion of her name in the Liturgy was not a matter that she could insist upon as a strict right; and when her character had been so far affected by the evidence in support of the charges against her, that 123 peers had pronounced her guilty, it would be very improper in him, as a minister of the Crown to advise it to be granted her as a boon. How did the right hon. gentleman opposite (Mr. Tierney) express himself in regard to her majesty when the charges were first preferred against her? He thought it right to call his expressions to their mind, because the gentlemen with whom he acted seemed to have forgotten them. He had said, on that occasion, that he would not vote one shilling towards a provision for the Queen, until the result of those charges was properly ascertained; for it was evident, that either the Queen was insulted, or the king betrayed. This shewed how serious that right hon. gentleman took those charges to be at the time, and how necessary it was to institute proceedings upon them.—There was but one observation more which he had to make respecting the right of inserting the name in the Liturgy, and he thought it might be taken as conclusive of the matter. Blackstone, who had been very particular in enumerating all the rights of the queen consort in the chapter upon that subject, did not mention, as one of them, the right of being prayed for in the Liturgy. What, then, was it made a ground of censure on the conduct of ministers, that they had, under such circumstances, and in such a state of the law, omitted her majesty's name in the Liturgy, where it would have stood of course, had her conduct been free from all imputations? But it was not in a technical acquittal, to restore it to the proper moral standard [a laugh]. As to the opinion of the gentlemen opposite on this point, it had not, with him, much weight; and should he tell them why—it was because their opinion was as strong before the evidence was given as after. When once those proceedings had closed, ministers were resolved to move no further measures on the subject; but since those gentlemen who affected to be the Queen's friends, had renewed their discussion of the question, be their's the odium, their's the mischief, which must result from its useless agitation. Towards the Queen personally, he would repeat it, he felt compassion; but his duty as a minister, looking to the honour of the king; and the interests of the country, put him under the painful necessity of making the guilt of her conduct apparent. From the station which she held, and recent circumstances, that conduct was calculated to produce effects dangerous to the state. It was not free from responsibility like the sovereign, however her advisers might shrink from the avowal of their designs. He could not be silent upon her conduct, since she had been so infatuated as to deliver herself over to a party, whom he believed to have views dangerous to public tranquillity and the constitution. He therefore felt, that he could not honour her more in a political than in a moral point of view. Had she not, in her answers to addresses, reviled the king, degraded the Crown, and vilified both Houses of Parliament? And did she not attempt to diffuse principles at variance with the safety of our most valuable institutions? He would caution honourable members, whose minds were yet unwarped by the efforts of party, not to allow themselves to be entrapped into the support of the present insidious milk-and-water resolution, which was intended to draw after it, consequences, that no man who was ignorant of the tactics of the politicians who framed it could suspect. But, thank God, the country was coming to its senses. He had no doubt, that the efforts of that party which had so disturbed the country would soon expire in despair; if parliament preserved its tone of dignified determination, and vindicated its high character, in this hour of distraction and clamour. Its path of duty was plain before it. It ought to sustain the actual government, in unimpaired honour and character, that its usefulness to the country might be undiminished, or it ought to extinguish the present cabinet as ministers, without hesitation. Whatever resolution of censure was brought forward from the other side, he trusted that it would come in a fair, tangible, and manly shape, not in that shadowy character which it was difficult to grasp, and which eluded common apprehension. But he could not believe, that parliament was to be taken by an artifice like this. He was sure it would not allow any party thus covertly to break down the confidence which ought to be placed in the ministers of the Crown, to make their services efficient to the nation. All he asked was, that any resolution which was intended to carry censure upon their conduct, should state so clearly and unequivocally, and also state distinctly, the grounds of such censure: then, indeed, ministers would be fairly put on their trial. He pledged himself, that if this was done, no sanguine hope of success which their enemies should entertain, would be opposed by any influence of the Crown, whose servants were enabled to rest their claims to the national confidence, upon the best of all pretensions, the character which they had acquired during a long and sanguinary and eventful war, wherein their counsels were crowned by the most triumphant success that ever befel any country, notwithstanding the awful dangers and difficulties by which they had been so long surrounded. On the reputation thus honourably acquired, and on the labours of an interval of peace, devoted to the best interests of the state, and the preservation of our invaluable institutions—on these, and these alone, would ministers rely for the support of parliament and the nation; and, with truth on their side, they had no doubt of overwhelming the charges of their enemies with complete confutation.

Mr. *Brougham* stated, that he should not have thought of trespassing upon the patience of the House at that late hour, were it not for the speech of the noble lord, who had allowed expressions to fall from him which he could not allow to pass unanswered. He could have wished, for the sake of that noble lord, and still more for the sake of the country and of the illustrious lady whom the noble lord had done all in his power to vilify, that he had been allowed to be silent; but the whole of the noble lord's speech was designed to give new life to the fatal dissentions which were agitating the country, and to place the illustrious parties concerned, in a state of contention for an indefinite length of time. For the sake of casting new stigmas upon her majesty, and fixing upon her the charges ministers had abandoned in their evidence, he had not only infringed all bounds of decorum, but all forms of debate, and with the artful sedulousness of the penner of a paragraph for a party newspaper, had entered into a laboured analysis of the votes in the Lords, to whose proceedings in ordinary cases a bare reference only was allowed. If at a time when not only justice, but all the forms which were the handmaids of justice, were violated for the one purpose of destroying the Queen (unless, indeed, he should add that of distracting the country), he might be allowed to follow so vicious and unparliamentary a precedent, he should be able to give a satisfactory answer to the noble lord. He could shew, that of the illustrious individuals who composed the majorities and minorities, not one could possibly be influenced by the royal person who was the object of the prosecution; he could shew, that the royal person who was the real prosecutor, was represented in that assembly which was to decide on his cause, by his household, by his state officers, by his ministers themselves, and by all those who were open to influence, either from the highest rewards a monarch could bestow, or from the lowest boons which a peer could accept, to relieve a dependent or to conciliate an adherent. Was this fact nothing in judging of the real value of a numerical majority? Was an array of influence great as this ever excited against individuals who presumed to call themselves judges.

The *Speaker* interposed, on the ground that it was irregular to remark on the motives which had influenced members of the other house of parliament.

Mr. *Brougham* remarked, that the noble lord had himself wandered into discussion of the motives of the peers, to which it was necessary that an answer should be given.

The *Speaker* said, that the distinction as to the remarks made upon the other House of parliament was this:—At the end of every session, the journals of the House of Lords were communicated to the House of Commons, as the votes of the Commons were regularly communicated to the Lords. As soon as the journals of the Lords were so communicated, they became matter of historical record, and whatever appeared on the face of them, could be remarked upon. The noble lord had remarked upon the reasons which noble lords had given for their votes, which, as he understood, were professedly drawn from the protests which were of course found on the journals. If the noble lord had gone beyond this, as the hon. and learned gentleman seemed to have understood him, he (the Speaker) was remiss in not having checked the noble lord upon the same principle as he had checked the hon. and learned gentleman.

Lord *Castlereagh* observed, that he had argued, that the ministers had not made the bill a party question in the other House.

Mr. *Brougham* continued.—If it was true, that the minister had not made this a party question, such a circumstance could not by any possibility appear on the face of the journals, but if such circumstances were so recorded, it would not be found on those journals or any where else, because it was notoriously and directly contrary to the fact. Never, not only in our own times, but if they recurred to the history of times beyond their own personal knowledge, they would find, that never, on any question, had a more violent spirit of partiality been shown. His majesty's ministers avowed themselves the authors, the patrons, and the managers of the bill, and had shown the zeal and spirit of prosecuting parties. If it so happened, indeed, that at last some (not of the ministers themselves be it remembered, but of their adherents) voted against the bill, would the noble lord contend, that by the ministerial side alone were these symptoms of impartiality shown? Was it not notorious that there were three or four of the noble lords with whom it had been his habit to act, with whose opinions he had generally concurred, and whose talents he had admired (never more, indeed, than when they had of late been so misdirected) who formed the most active friends of the bill not in voting, indeed, but in fair and open debate? These noble lords bore much of the brunt and odium of the measure, while the ministers kept behind at their safe and effectual labour of entrapping and securing votes. Turning from these proceedings he thanked the noble lord for the opening of his speech, in which, with a charity peculiarly his own, he had undertaken to defend the Queen—to defend her from her friends, from his noble friend who had made the motion that night, and from his right hon. friend (Mr. Tierney) who sat next him. The noble lord had referred to the first notice which his right hon. friend had taken of the omission of the Queen's name, and he had repeated the memorable assertion of his right hon. friend, that "the Queen had been insulted, or that the king had been betrayed." The noble lord had also referred to the denial, which he (Mr. Brougham) had givin to the assertion, that the Queen was degraded by the omission of her name in the Liturgy. He confessed, that he was not then willing to allow that the Queen was degraded by that act. It was a part of sound philosophy, that a man should not contemplate the full amount of the injury he suffered from the wrongs of a superior force, which he was powerless to resent or to resist. If this feeling might be allowed to operate on a man in his own case, how much more strongly might it operate when the character at stake was that of a client—not only of a client, but of a woman and a Queen? The noble lord might take the fact in any words, and no one was better able than the noble lord to vary the combinations of adjectives and substantives, to pile high sounding epithets, and to frame phrases which filled the ear and eluded the mind. He allowed, that he had not been unwilling to believe, that the Queen had not been degraded. It was not for him, at that time, to declare, that his royal mistress was degraded, when she had to meet all the terrors of the threatened investigation; he said "the terrors" of an investigation, not that innocence should be exposed to danger from justice or from inquiry, but her majesty was on the brink of an investigation in which innocence was no security; in which she was to be met by perjured men and perjured women; and by bribing men and bribing women—where perjury and bribery were suited to accomplish one object, where the long arm of power and the long purse of an administration joined their influence over Italian hands and Italian hearts—over hearts ready to crouch to the one, over hands ready greedily to snatch at the other. From such a trial, from such a threatened prosecution, the most guiltless might shrink without incurring, for a moment, the imputation of crime. After her majesty's ill-advised, ill-fated migration from this, the land of her adoption, contrary to the representations of his late revered friend (Mr. Whitbread), contrary to his own advice recorded and in her majesty's possession, for six years she had been all but forgotten by the people of this country. Now nothing was talked of on the other side, but her increasing and inconvenient popularity. Why was she popular, and why were the hearts of all classes interested in her behalf? Because she was oppressed and persecuted; and if ministers wished to sink her into comparative oblivion, he would give them a recipe:—"treat her well;"—they had nothing to do but to abstain from persecution. The people had witnessed a woman and a Queen maltreated, insulted, trampled upon; they had seen injuries inflicted where injuries were possible; and insults where injuries were powerless. They felt for her, because they loved the monarchy and the persons of their rulers with what an historian had called, with somewhat of a sneer, "a childish admiration of Royalty." For this the people of England had covered their Queen with the shield of their protection, and had covered themselves—he would boldly say it—with immortal renown, as lovers of justice and detesters of tyranny.—After adverting to the notice lord Castlereagh had taken of himself, Mr. Brougham proceeded to observe upon the reluctance with which minsters, not long since, had been compelled to pronounce the name of Queen. In this respect he had lived to see strange changes. He had heard, not only the right hon. the Chancellor of the Exchequer, pronounce the title as glibly and as frequently as sums of money to be voted out of the pockets of the people, but even the noble lord had been prevailed upon to treat her majesty with the respect which became "an old courtier of the Queen's, and the Queen's old courtier" [hear, hear!]. What was still more astonishing, was, that in another place, where her majesty had so recently been upon her trial, he had heard even the sovereign himself pronounce the name of Queen. As to the form in which his noble friend had made his motion, the accusation which was made against it was, that it was so framed as to *catch* stray votes, and specially, for he was so pointed out that he could not be mistaken, to catch a worthy alderman, who had the other night spoken on the subject [Alderman Heygate]. Now any one who had heard the worthy alderman's speech must, have seen, that it was vain to make any such attempt. Whatever might be the words of the motion, however the bait might be varied or disposed, no art, not that of the most complete angler, would be able to hook the worthy alderman. There was so much of the tortuous motion of the eel in the way in which the worthy alderman wound through the argument, he was so slippery and so winding, that he would defy the best-sanded fist to gripe him. The worthy alderman had so carefully stated the question, now a little remark on the one side, now a little set-off on the other, that if the arguments were cast up one against the other, the difference would be found the most perfect *zero* that was ever exhibited in the best-balanced book in the city. All this arose, no doubt, from the infinite candour of the worthy alderman; but it proved, that the motion would not have the effect of catching him, as it certainly was not framed for that purpose, as it was drawn up in its present form, before the alderman gave that candid exposition of his sentiments. It was fair, that gentlemen who thought variously on one point, but who agreed on others, should choose the point on which they could unite; not that on which they differed. Most of them thought, the omission of the Queen's name was illegal, some of them doubted as to its illegality; all were clear as to its being inexpedient and ill-advised. He was of opinion most strongly with the hon. and learned member for Oxford, that it was illegal. But, was there any thing unfair, was there any thing other than candid and manly, in his joining in a declaration that it was inexpedient and ill-advised? He conjured the House, such of them as doubted of the illegality, to look to this part of the question. He had the implied promise of the noble lord, that if the Queen was not convicted she should be restored to all her rights. He had the direct words of the noble earl in the other House (Liverpool);—he had the still higher authority and warrant of sound reason and the law of the land. The Queen has been acquitted—she must be treated as if she had never been tried, or there is no justice in England. To call back the attention of parliament to the weighty affairs from which they had been distracted—to give opportunity--which, while this overwhelming subject occupied the country, could not be afforded, to consider the distresses of a people, who now, unmindful of their own sufferings, poured forth their generous and disinterested petitions in favour of their persecuted Queen—to calm the agitation of the country by doing justice to her majesty, and then to rescue from imminent and hourly-increasing danger the fabric of the constitution was the object of his noble friend's motion.

Mr. Alderman *Heygate* said, that uninjured as he felt himself by the attack of the hon. and learned gentleman, he had no wish, rising unexpectedly, and at that late hour of the morning, unnecessarily to protract the contest. He would, however, tell that hon. and learned gentleman (never more ingenious than he had been that night, and never less convincing), that he was not vain enough to imagine, that the trap which had been alluded to was set by the noble mover, for so humble an individual as himself. But, at all events, he gave credit to the hon. and learned gentleman for having discovered at an early period of his speech, that he (Mr. H.) was not likely to be its victim; a sagacity at which he wondered the less, when he called to mind the small success of the recent efforts of that hon. and learned gentleman to catch and manage another alderman [a laugh, and cries of "Hear!"]. But his were light and playful sarcasms, and far less terrific than the heavy artillery brought to bear against him a few evenings since from another quarter [Mr. Hume]. On that occasion, the weighty epithets of "barbarous and unmanly," were lavished upon the line of argument, he had then thought it his duty to pursue, and which, whatever faults it had, was at all events clearly straight forward, and decided—lavished upon him because he had ventured unconnected with party, to allude moderately, openly, in his place in parliament, in the face of her majesty's advisers, official and extraordinary, and for his own justification with his constituents, to public documents bearing the name of the Queen, and circulated with indefatigable industry to the remotest corners of her sovereign's dominions. He professed not to conjecture, and must leave it with the House to decide, whether the method pursued for putting him down was adopted because better arguments were not to be found, or whether it was intended to afford in his person, an example of that degree of liberty of speech and freedom of debate which would be hereafter allowed to individuals who dared to speak their own opinions by some of those to whom he alluded, when they should have attained that power which they now so confidently anticipated. But he could not doubt, that the British House of Commons would, in spite of this system of terror, shew by their decision that night, that they were resolved still to support the majesty of the throne, and the constitutional authority of the legislature; and that no individual, however illustrious by birth or exalted rank, not even the Queen Consort, the first subject of the state, should be able with impunity to suffer her name to be used, even without design, as the vehicle of sentiments at variance with the first principles of civil liberty, because calculated to induce the interference of a military body in political affairs, in opposition to the Crown which commands, and the parliament which pays it [Hear, hear!]. As to the motion now before the House, he hoped, in a few minutes, to shew the hon. and learned gentleman, that however refined and candid he might be called, he was able to come to a decisive conclusion at last. He objected to the motion, as he did to some of the answers of the Queen, and for the same reason. The maxims were true in the abstract, but mischievous in the application. If carried, this motion was to be followed by others in endless succession; and it would tend only, in his judgment, to prolong the unhappy agitation of the public mind, and to interrupt still further the important business of the nation. He felt confident the House would that night, endeavour, by their vote, to draw a veil over transactions neither creditable nor beneficial to the parties concerned.—He would add only one word more. He was no supporter of ministers, nor an enemy to the Queen; on the contrary, he sincerely wished—no one could wish it more seriously—that her majesty might continue, after so eventful a career, during many and happier years, to enjoy, with a suitable dignity and with credit, discretion, and repose, the ample income which he doubted not the liberality of parliament would in a few days provide.

After a short reply from lord A. Hamilton, the question being put, "that the House do now adjourn" the House divided:—Ayes 310:—Noes 209. Majority 101.

List of the Minority.

Abercromby, hon. J.
Allen, J. H.
Althorp, viscount
Anson, hon. G.
Anson, sir G.
Ashurst, W. H.
Astell, William
Aubrey, sir John
Barham, Joseph F.
Barham, J. F. jun.
Baring, Alexander
Baring, Henry
Barrett, S. M.
Beaumont, T. W.
Belgrave, viscount
Benett, John
Bennet, Hon. H. G.
Bentinck, lord W.
Benyon, Benjamin
Bernal, Ralph
Birch, Joseph
Blake, sir F.
Boughey, sir J. F.
Boughton, R.
Bright, Henry
Brougham, Henry
Browne, Dominick
Burdett, sir F.
Bury, viscount
Byng, George
Butterworth, Joseph
Buxton, T. F.
Calcraft, John
Calcraft, J. H.
Calvert, Charles
Calvert, Nicholas
Carew, R. S.
Carter, John
Cavendish, lord G.
Cavendish, Henry
Chaloner, Robert
Clifford, captain
Clifton, viscount
Coffin, sir I.
Coke, T. W. jun.
Colburne, N. R.
Cole, sir Lowry
Concannon, Lucius
Coussmaker, G.
Creevey, Thomas
Crespigny, sir W.
Crompton, Samuel
Cripps, Joseph
Curwen, J. C.
Davenport, Davis
Davies, T. H.
Denison, William
Denman, Thomas
Dickinson, W.
Dundas, hon. T.
Dundas, C.
Ebrington, viscount
Ellice, Edward
Ellis, Hon. G. A.
Farquharson, A.
Farrand, Robert
Ferguson, Sir R. C.
Fitzgerald, Lord W.
Fitzgerald, rt. hon. M.
Fitzroy, lord C.
Fitzroy, lord J.
Folkestone, viscount
Gaskell, Benjamin
Glenorchy, viscount
Gordon, Robert
Graham, Sandford
Graham, J.
Grant, J. P.
Grant, G. M.
Grenfell, Pascoe
Griffith, J. W.
Guise, Sir William
Gurney, Hudson
Gurney, R. H.
Haldimand, W.
Hamilton, sir H. D.
Harbord, hon. E.
Heathcote, sir G.
Heathcote, G. J.
Heron, sir Robert
Hill, lord A.
Hobhouse, J. C.
Holmes, sir L.
Honywood, W. P.
Hornby, Edmund
Hughes, W. L.
Hume, Joseph
Hurst, Robert
Hutchinson, hon. C.
James, W.
Jervoise, G. P.
Kennedy, T. F.
Lamb, hon. W.
Lambton, John G.
Langton, J. H.
Lawley, F.
Leake, W.
Legge, hon. H.
Lemon, sir W.
Lennard, T. B.
Lester, B. Lester
Lloyd, J. M.
Lloyd, J. Jones
Lockhart, J. J.
Lushington, Stephen
Maberly, John
Maberly, W. L.
Macdonald, J.
Mackintosh, sir J.
Madocks, W. H.
Mahon, hon. S.
Marjoribanks, S.
Marryatt, J.
Martin, John
Milton, viscount
Monck, J. B.
Moore, Peter
Moore, Abraham
Mostyn, sir Thomas
Newman, R. W.
Newport, rt. hon. sir J.
Nugent, lord
O'Callaghan, J.
Onslow, Arthur
Ord, William
Ossulston, lord
Palmer, Charles
Palmer, C. F.
Pares, Thomas
Parnell, sir Henry
Peel, William
Pelham, hon. C. A.
Phillips, G. R.
Phillips, George
Pierce, Henry
Ponsonby, hon. F. C.
Powell, Edward W.
Power, Richard
Powlett, hon. W.
Price, Robert
Prittie, hon. F. A.
Pryse, Pryse
Pym, Francis
Ramsbottom, John
Ramsden J. C.
Ricardo, David
Rice, T. S.
Rickford, William
Ridley, sir M. W.
Robarts, A. W.
Robarts, G.
Robinson, sir George
Rowley, sir W.
Rumbold, Charles
Russell, lord John
Russell, lord Wm.
Russell, R. G.
Scarlett, James
Scott, James
Scourfield, W. H.
Scudamore, R. P.
Sebright, sir John
Sefton, earl of
Smith, hon. Robert
Smith, Samuel
Smith, Abel
Smith, John
Smith, George
Smith, William
Stanley, lord
Stuart, lord J.
Sykes, Daniel
Talbot, R. W.
Tavistock, marquis of
Taylor, M. A.
Taylor, C.
Tennyson, C.
Tierney, rt. hon. G.
Titchfield, marquis of
Townshend, lord C.

Tulk, C. A.
Tynte, C. K.
Vernon, G. V.
Wall, C. B.
Warre, J. A.
Webbe, Edward
Western, C. C.
Wetherell, C.
Wharton, John
Whitbread, W. H.
Whitbread, Samuel C.
Whitmore, W. W.
Wilkins, Walter
Williams, T. P.
Williams, William
Wilson, sir Robert
Winnington, sir T.
Wood, alderman
Wyvill, M.

TELLERS.

Duncannon, viscount
Hamilton, lord A.

PAIRED OFF.

Plumer, William
Williams, Owen
White, Luke

HOUSE OF COMMONS.

Wednesday, January 31.

PETITIONS RELATIVE TO THE QUEEN.] Mr. *Lambton* presented a petition from Durham signed by 3,340 inhabitants and agreed to at one of the most respectable meetings he had ever seen. The petitioners expressed their disgust at the late proceedings against her majesty. They also prayed for an inquiry into the proceedings of the Milan Commission. It was needless for him to say, that he gave his support to the contents of the petition.

Mr. *Cumming* rose to present a similar petition from the lodge of Odd Fellows, No. 1, of Inverness, and No. 2, of Scotland.

The *Speaker* begged to draw the attention of the House to this subject. A similar petition had been presented a few days since, but it was withdrawn. The question was not as to the wording of the petition, but as to the right of any society to present such petitions. He meant no objection to the society in question; but it was for the House to consider whether they were to receive petitions from societies unknown to the law. He was not aware, that there existed any precedent for receiving such petitions; but he, begged to call the attention of the House to the inconvenience, which would arise from such a regulation, however harmless the petition might be in itself. There were many such societies in this, and a much greater number in the sister kingdom. What, then, would be the feelings excited on receiving petitions from the Orange men, the Peep-of-day-boys, the White-boys, and the other slang names by which societies were designated? This, then, was the proper period for considering the question. The name of this society could not, of itself, give any offence to any party. He threw it out for the consideration of the House, whether it would not be better to have the petition withdrawn, for the purpose of altering the heading of it; as the alteration could be easy made by making it the petition of the undersigned individuals.

Sir *John Newport* was decidedly against receiving the petition in its present form: he thought the admission of such a petition would be productive of calamitous consequences.

Sir *W. De Crespigny* opposed the reception of petitions from any lodges or societies not known to the law.

Mr. *Calcraft* apprehended, that the reception of the petition might lead to a peecedent which, on other occasions, would be found highly inconvenient.

Mr. *Abercromby* thought the subject worthy of mature consideration, as its determination might be the means of abridging the right of petition. It appeared to him, that this was merely a petition from private individuals who stated themselves to belong to a certain society. He did not wish to depreciate any opinion which had the sanction of the Chair, but he really thought, they ought not to decide hastily on this question.

The *Speaker* observed, that the suggestion he had made to the House was not to decide the question. He merely called the attention of the House to the difficulty of the case, and therefore suggested the propriety of sanctioning the alteration he had recommended rather than involve the House in those inconveniences which he had indicated as the probable consequences of receiving the petition in its present shape.

Mr. *Denman* observed upon the inconvenience of sending back a petition to a remote part of the kingdom for the purpose of being re-modelled, during which time the measure against which it petitioned might be passed, and thus the object of the petitioners be defeated.

Ordered to lie on the table.

PETITIONS FOR PARLIAMENTARY REFORM.] Mr. *Wyvill* presented thirty-two petitions from the City of York, praying for parliamentary reform. The petitioners were under an erroneous impression, that an act of Charles the second made it illegal to attach more than 20 signatures to a petition for parliamentary reform, and therefore it was, that such a number of petitions had been presented. They prayed, for a restoration of triennial parliaments, and also, that all boroughs where the electors were so few as to give full scope to bribery, as well as those boroughs which were under the influence of individuals, should be considered in the nature of private property and disfranchised, and that the elective franchise should be transferred to large and populous towns. The petitioners were of opinion, and in that opinion he fully concurred with them, that, in order to give the people a fair representation in parliament, the country ought to be divided into equal districts. If any additional arguments in favour of reform were necessary, they had 310 of them, in the vote to which that House had come on the morning of last Saturday. What would the country say, if they went on as they had done? Parliament might be considered the representatives of the congress at Troppau, or of the noble lord opposite—but they could not call themselves the representatives of the people.

Mr. *Hobhouse* took that opportunity to ask, at what period the hon. member for Durham intended bringing forward his motion on the subject of parliamentary reform, which he had been induced to postpone last Session.

Mr. *Lambton* said, that he last year postponed his motion from a feeling, that in the then state of the country, the subject was not likely to meet with that calm and serious discussion which it required. For the same reason, he now gave notice, that he would, on the 10th of April, bring his motion, as, by that time, he trusted the question might be introduced with the best hope of success which it was ever likely to have in that House.

Mr. *Grenfell* entreated the indulgence of the House whilst he submitted to their notice a few observations connected with the subject then before them. From the first day that he had had the honour of a seat in parliament, now nearly twenty years ago, he had uniformly opposed every motion of a general undefined nature for parliamentary reform. He had done so because it was his conscientious belief, that, whatever blemishes might appear to exist in theory in our representative system, in practice it worked beneficially for the country, and secured to it as many advantages as were enjoyed in any other country in Europe. With those impressions, and he might say, with those convictions, on his mind, he had never consented to put at risk, for any theoretical benefits, that constitution which contained in itself so much solid practicable good. That system had appeared to him so beneficial, that he had determined never to abandon it, unless another was presented to him which offered something like a moral certainty of producing consequences still more beneficial. Another reason which had directed his public conduct, was this: he had perceived, that whatever were the principles upon which elections were conducted, whatever were the channels through which honourable members passed to their seats in parliament, the House had acted, upon all the questions of general policy, under the influence of public opinion, and that its decisions had always been in unison with the public sympathy. Such had been his impressions and convictions; but he must now confess—and it was with feelings of great pain that he made the confession—that after the vote to which the house had come on Saturday morning last, on the great subject which agitated the public mind, the principles and opinions on which he had hitherto acted had been very considerably shaken. Could any man who paid the slightest attention to public affairs assert, that the outcry which had existed for the last twelve months against ministers, for erasing her majesty's name from the Liturgy upon such grounds as they had alleged in their defence, was mere popular clamour and delusion? If ever there was a subject upon which the public opinion of this country had manifested itself, it was that upon which the House had, on Saturday morning last, come to a vote—a vote which had convinced him, that the House was acting not under but against public opinion. After such an occurrence, he was anxious to express the change of opinion which had been effected in him. He trusted, that the session would not be allowed to pass away without some gentleman of weight and consideration in the country coming forward to propose such a moderate plan of reform as a moderate man like himself would be able to support.

Mr. *Philips* observed, that the avowal which his hon. friend, had made of his change of opinion on the vital question of reform, was exactly what he should have expected from his well-known candour. The vote to which the House had come on Saturday last, had made more reformers than any other within his knowledge. Mr. Burke had said, that the spirit and essence of the House of Commons depended upon its being the representative of the people, and had even proceeded so far as to assert, that a want of sympathy with the people made it cease to be a House of Commons. For his own part, he was convinced, that there never had been any period since the administration of lord North in which the public opinion had set in so strong a current against ministers as it did at the present moment; and yet, though nineteen out of every twenty men in the community were decidedly against the present ministers, a majority of the House of Commons had determined to support them. It would not be consistent with order to say, that they were not the House of Commons—that they were not the representatives of the people: but this he could say, and still be consistent with order, that, according to the principles of Mr. Burke, they were neither one nor the other. A reform in parliament was now most urgently demanded; and though he was not inclined to indulge much in gloomy reflections, he must say, that he looked forward to the establishment of a despotism, unless some amendment were made in the election of the House of Commons, and some diminution took place of the present inordinate influence of the Crown.

Mr. *Stuart Wortley* said, he saw the vote of the other night in a very different point of view from that in which the hon. members had seen it who preceded him. So far from its being in direct contravention of public opinion it was a powerful expression of the public wishes on that subject. He begged, that he might not be misrepresented in what he had just said. He knew well in what manner the feeling of the country had been excited on the question; but if he were to be asked what was the wish of the country upon it, he would say, that it was, that the matter should be put entirely at rest, without any further persecution of her majesty, but with a strict care, at the same time, that her majesty should not triumph over any other party. In the vote which had been given on a former night, gentlemen had not looked so much at the justice or injustice of the particular question then before them, as to the point to which it was directed; and it was impossible to deny, that those who had voted for it had wished to use it as a means for turning out the present ministers and putting others into their places. Now, he was sure, the country had not sufficient confidence in any other set of public men to put them in the places of the present ministers—it had no confidence at all in gentlemen on the other side. Though the ministers had suffered much in the public estimation during the last six months, they had not yet lost the public confidence so much as to reconcile the country to having the gentlemen opposite to him as their successors.

Mr. *Baring* was surprised at hearing hon. gentlemen inform the House, that the reason why they voted against the motion of his noble friend on a late occasion was, not that they thought, that ministers had acted rightly, but, that they thought, that no other set of men were to be found worthy of public confidence. Now, he, who was an humble individual, and without any inclination or pretensions to become a minister, would beg leave to ask them, what justification they had found in that averment, either for the votes which they had given, or for the administration which they had upheld? It was impossible not to perceive the shock which the loyalists, and even the ultra-loyalists, in all parts of the country, had received from the late unparalleled proceedings of ministers against the Queen; and surely they ought to be considered reprehensible for the manner in which they had impaired the attachment of the people to their constitution and their laws. Besides, it was a calumny upon the country to say—"Though I cannot support the present ministers, yet I will keep them in their places for this and for no other reason—that I know of none who could fill them better."—He concurred in what had fallen from his hon. friend, the member for Penryn, regarding the necessity of some reform in parliament. He, too, had once a strong feeling against reform, but, he was now convinced, that if the House did not, in the course of the session, express some opinion in sympathy with that of the people, as to the degrading character of the late persecution of her majesty, it would do more to condemn the manner in which the House of Commons, as at present constituted, was formed, than all the speeches which had been delivered by all the demagogues from the beginning of time. He concluded by reminding those members who opposed all motions for improving the present system of representation, that it was their especial duty to pursue such a line of conduct as would convince the country, that they were acting in unison and not in opposition with its wishes (Hear).

Sir *R. Wilson* concurred with the hon. member for Yorkshire, in thinking, that the wish of the country was, that the question of the Queen should be set at rest for ever, and that there should be no triumph over another party, But in saying this, he could not help observing, that the hon. member had presumed resistance in another party; for if there were no resistance, there could be no triumph. Now, he believed, that there was no resistance in the quarter to which allusion had been made; and he called upon the noble lord opposite and his colleagues to declare, whether the non-restoration of the Queen's name to the Liturgy was or was not, he would not merely say ministerially, but personally, their own act. He was sure, that the noble lord, undeterred by any obloquy that might befal the advisers of the measure, would say, that it was ministers who had advised it, and would confess, that the act of reinstating her majesty's name in the Liturgy —an act fervently prayed for by millions —would have been, nay actually was performed, had it not been for their interference. He therefore wished to remind gentlemen, when they were opposing the restoration of her majesty's name to the Liturgy, that they were not respecting the feelings of a certain quarter, but the feelings of men who had shown themselves perfectly incapable to manage the interests of a great and powerful nation.

Mr. *Butterworth* said, he had voted the other night for the insertion of her majesty's name in the Liturgy, and his reason for so doing was, that she had been prayed for as princess of Wales, and he considered, that her name, when she became Queen, had been omitted unconstitutionally and without trial. He had treated the question as an abstract one, without reference to the guilt or innocence of her majesty.

Sir *Francis Blake* commented on the charges of disloyalty which had been brought against the people for their conduct during the late prosecution of the Queen; and said, that to degrade the king by insulting his Queen was now considered the best proof of loyalty. The present was styled the age of revolution; and he should not be surprised if ministers had adopted their recent proceedings with a view of promoting one in this country. The principle of their conduct against the Queen was unjust, because by it punishment preceded trial. In reparation of their conduct, let a royal palace be tendered to her and a liberal provision.

Mr. Serjeant *Onslow* disclaimed the motives on which the hon. member for Yorkshire had said, that he and his friends had acted. He was clearly of opinion, that the erasure of the Queen's name from the Liturgy was an illegal act, and under that conviction he had given his vote.

Ordered to lie on the table.

Petitions relative to the Queen.] Sir *George Anson* presented a petition from Litchfield, praying, that there might be no further proceedings against her majesty, and that her name might be restored to the Liturgy.

Mr. *Vernon* said, that this was a petition signed by a number of respectable persons. As to the first point, whatever had been the conduct of his majesty's ministers on this subject was not now the question; they had already pledged themselves not to institute any further hostile proceedings, and so far the prayer of the petition was answered. As to the second, he could assert, without having any intention of overturning the present government, that from the first day that he heard of the order in council, by virtue of which the name was erased, he was adverse to it. But, that having been once done, the consideration of the subject was placed upon different grounds, and he agreed with parliament on the subject. For his own part, he could wish that the law had been more clearly defined, and would suggest, as the better mode of getting rid of the difficulties connected with the subject, that an address should be presented to the throne, praying, that measures might be taken to give permanent insertion in the prayers to the names of all the royal family.

Lord *Nugent* presented a petition from Aylesbury, which had been agreed to unanimously, at one of the most respectable and numerous public meetings which ever took place there. The petition, besides praying for the insertion of her majesty's name in the Liturgy, and the restoration of her rights, complained of the existing distresses of the country, and prayed for parliamentary reform, retrenchment of expenditure, and an effective reduction of the military establishment. His Lordship spoke strongly in support of the prayer of the petition, and said, that the petitioners were no visionary reformers, but, were of that class of middling tradesmen to whom ministers were so much indebted during the course of the late war, whose loyalty had never been doubted, but whose reward for the most patient endurance of all sorts of privations was suffering and reproach.

Mr. *Denman* presented a petition from Sutton Ashfield, praying for the restoration of her majesty's name to the Liturgy. He thought, if those various petitions were seriously considered, instead of being merely left to the officer of the House, who was nearly exhausted by the labour of reading them, they would produce a considerable impression, even on the minds of those members who were most adverse to the cause of her majesty. With respect to the striking the Queen's name out of the Liturgy, he took precisely the same view that had been taken by his learned friend (Mr. Wetherell) on a former evening. He considered that measure as a most gross and irreparable injury to her majesty, because it was prejudging her cause, and inflicting punishment before any offence was substantiated. He also was of opinion, that it was most injurious to the character of the high tribunal before which her majesty was to be tried; because many of those who constituted her judges could not come unbiassed to the trial, they having previously, by sanctioning the erasure of her majesty's name from the Liturgy, expressed an opinion on her conduct. But, above all, he considered, that, in a constitutional point of view, it tended to injure the monarch of these realms; because, standing in the situation of husband to this illustrious and unfortunate female, it was impossible, looking to the persecution which she had undergone, but that imputations would be cast on him, however unjustifiable they might be. Ministers had, indeed, on every occasion, stated, that all the responsibility of those measures rested on them. Why did they so frequently make this statement? No man could doubt that they were the responsible parties. When he heard this ostentatious parade of responsibility, it appeared to him, that it arose merely from an indulgence in the unjustifiable hope, that, by constantly recurring to the topic, they would lead individuals to believe, that their declarations were not sincere, and that, in fact, they were not the responsible parties. It was like saying—"Oh, it is very true, that the constitution requires this responsibility on our parts. We must go through the ordinary formula; but, in fact, we are not the responsible persons." The House had heard with great satisfaction, that no farther proceedings were to be instituted against the Queen. Now, the only reason ever given for not restoring her majesty's name to the Liturgy was, that proceedings against her had been commenced, and, those proceedings having ceased, the restoration of her majesty's name, ought, he contended, to be carried into effect. Why could not the House pursue the course that had been adopted in 1741, when the Crown was requested to place the progeny of Frederick, prince of Wales, in the Liturgy? On that occasion, lord Wilmington stated to the House, that some matters relative to the precedency of names was not concluded, but that, when a decision on those points took place, the names would be introduced. If an application were made at that time, and if, in consequence, names were restored to the Liturgy, he could not conceive why the present parliament should be less independent—why they should refuse to comply with the feelings expressed by the whole body of the people of England.

Mr. Denman said, he had to present another petition from the Amicable Society of Nottingham; the prayer of which was similar to that of the petition that had just been laid on the table. The petitioners farther prayed the House, if ministers so far forgot their duty as to persist in the proceedings against the Queen, that they would withhold the supplies of the year, until her majesty was restored to that situation to which her birth, her marriage, and the wishes of the people of England entitled her.

Mr. *Hume* also presented a similar petition from the Incorporation of weavers of Leith. He understood, this petition had been forwarded to the hon. member for Edinburgh, who had refused to present it. No doubt the hon. member could satisfactorily explain this circumstance. For himself, he could conceive nothing more culpable than the refusal of any honourable member to present to the House, a petition, not improper in itself, from his constituents.

Mr. *W. Dundas* said, he had felt no wish to refuse the mere presentation of the petition alluded to. But, in the application made to him, two different points were stated:—first, he was asked to present the petition; and secondly, he was called on, to give it all the support in his power. His sentiments were not in unison with those contained in the petition; and therefore if he had presented it, the petitioners, might have turned round and said, "If we knew, that you would have opposed the prayer of the petition, we would have placed it in other hands." He had presented many petitions which contained matter not congenial with his own opinions; but it would be too much to expect that he should also support them.

Mr. *Hume* begged to read the applications which had been made to the right hon. gentleman to present the petition, and his answer, and then to leave the House to judge how far the explanation was satisfactory. The application was, as the right hon. gentleman had observed, two-fold. The first part requested, that he would present the petition as early as possible; the second, that the corporation would consider itself honoured if he would favour the petition with his support. Such was the application. The answer was this, "I cannot present the petition you have sent me." Then came a full stop; after which, the letter proceeded, "Should any proposition be made for the restoration of the Queen's name to the Liturgy, I shall certainly oppose it." And this was the whole of the letter. He left it, therefore, to the House to judge, whether the former was not a direct and unconditional refusal to present the petition.

Mr. *W. Dundas* also expressed his willingness to leave it to the House to judge upon the subject; and repeated, that his object had been to give the petitioners an opportunity of choosing a warmer advocate.

Lord *Milton* confessed, that when the right hon. member made his first speech, he thought he had not been dealt fairly by. In that speech, he merely stated, that he had informed the petitioners, that he could not support their petition, and that he had explained the reasons which induced him to give them the opportunity of choosing another member to present it. But then came the unfortunate letter; which was totally at variance with the right explanation; for it consisted simply of a declaration, that he could not present the petition, and that, if a proposition should be made to restore the Queen's name to the Liturgy, he must vote against it. It contained no suggestion to the petitioners, that his refusal proceeded from a wish to give them the opportunity of choosing another advocate. The confidence which every man had in the rectitude of his own conduct, frequently made him view it in a light different from that in which it appeared to others. He was far from intending to state, that the right hon. gentleman wished to lead the House to believe what he did not believe himself.

Sir. *R. Fergusson* presented a similar petition from Kirkcaldy. Adverting to the sentiments of the people of Scotland, he observed, that if ministers placed any reliance on the opinions of the county meetings of Scotland in their favour, they were much deceived. Contrasting the character and numbers of the opposite petitions from Edinburgh, he observed, that the first, which was in favour of government and was framed in secret, lay for five or six weeks on the council table in that city, and was signed by only about 1,600 persons. Then came the open meeting of a different description, the petition from which was in three weeks signed by above 17,000 persons. The same thing took place in Glasgow, where a petition in favour of the Queen, was signed by 18,000 persons. He was persuaded, that if the feelings of the people of Scotland on the subject were fairly represented, it would appear that 99 out of 100 disapproved of the conduct of ministers with respect to her majesty. The petition which he held in his hand, prayed, that her majesty might be restored to all her rights. Like the other Scotch petitions, it said nothing about the Liturgy, for he thanked God, there were no such trammels on divine worship in Scotland as in this country! Every man there was allowed to pray to God in his own way; and in his opinion, the spontaneous prayer of an honest man, in whatever rank of life, was more valuable than any prayer which the noble lord and his colleagues could frame in their cabinet.

The *Lord Advocate* could not allow the statement of the gallant general to go forth without contradiction. So far as county meetings had expressed themselves they were decidedly in favour of the conduct pursued by his majesty's Government. These county meetings were assembled as on all former occasions, and with the exception of the county represented by the noble lord [A. Hamilton], all the others were unanimous in their addresses. Those meetings were composed of the justices of the peace and the commissioners of supply—[a laugh]—and decidedly represented the whole of the respectability and landed property of Scotland. At the meetings on the other side of the question, all were excluded who held any difference of opinion. He had heard that some names were signed ten times over to the Edinburgh petition; whereas those who signed the loyal declaration not only affixed to it their names, but their designations.

Mr. *Kennedy*, with all his respect for the learned lord, could not sit still and hear him calumniate his country. He positively denied, that the county meetings in Scotland represented the whole property of the country. A very great part of the property in Scotland was not represented at all. The middle classes—the strength of every nation—were not represented in Scotland. They were now, however, roused to a determination to obtain their rights. No people could deserve better to enjoy them; and he trusted, that in the course of a few years, they would obtain a fair representation. In the county meetings alluded to by the noble lord, many held the right of voting—lawyers and others—without being possessed of any property at all. With respect to the two petitions from Edinburgh, they most forcibly illustrated the state of the public opinion in that city; and as to the statement, that individuals had repeatedly signed their names to one of those petitions, he had no faith whatever in it.

Lord *Binning* maintained, that the county meetings in Scotland, constituted as they were, did represent the opinions of the country. He did not deny, that in Scotland as in England, there was a great impression in favour of her majesty, among certain classes of the people, but, when the gallant general talked of 99 out of 100 entertaining those sentiments, it was a very great exaggeration. His learned friend had stated the nature of the Edinburgh petition. The meeting was called in the theatre, and several ingenious individuals, well known over the whole country, addressed the audience from the stage. The petition then agreed to was signed by all manner of people. He believed a strong feeling prevailed in Scotland for burgh reform; but he denied, that there was any desire for that species of general reform so often alluded to on the other side.

Mr. *J. P. Grant* observed, that the meeting at Edinburgh, had assembled in the theatre because no other room would have been sufficient for their accommodation; and even as it was, above 3,000 persons were unable to obtain an entrance. As to the signatures to the petition, they were accompanied with the place of abode of the individual; so that if any such practice had been resorted to, as that alleged by the learned lord, it might easily be detected. The other address had been got up in secret, the promoters of it not daring to face a public meeting of the inhabitants. It lay on the table of the council-chamber for several weeks, and, after every possible effort, it received only 1,600 signatures. The population of Edinburgh was about 110,000. The petition complaining of ministers, particularly with reference to their conduct towards her majesty, had 17,000 signatures. He would leave the House to judge, what were the real sentiments of the inhabitants of Edinburgh. In the most remote corners of Scotland, where political discussion had never before taken place, a strong feeling had manifested itself on this subject; and, as to county meetings, the learned lord had greatly overstated the fact. He (Mr. Grant) had attended the meeting of the county in which he resided. So far was it from comprehending the property of the county, that, of only thirty-three gentlemen who were present, but fifteen possessed a single acre of land in the county; and, on casting up their rentals, he found that they did not average a thousand pounds a-year a-piece.

Mr. *Abercromby* expressed his astonishment at the signal indiscretion of the learned lord, in maintaining, that the county meetings in Scotland expressed the sense of the people of property in Scotland. This was by no means the case. In one of the largest counties, there were only two or three hundred persons called freeholders, who had a right to vote; and many of them (like himself in two counties) had not a single acre of land. In a small book, which might be bought for 2*s.* 6*d.* the names of all the persons entitled to vote at county meetings in Scotland were recorded. To speak therefore, of county meetings in Scotland, expressing the public opinion, was perfectly ludicrous.

Sir *G. Warrender* declared, that the great mass of the persons of landed property in Scotland, were decidedly friendly to ministers. He allowed, that among those classes of the people least informed on the subject, there was a strong feeling in favour of her majesty. Knowing, however, the good sense of his countrymen, he had no doubt, that they would soon come back to their senses; and he trusted the people of England would follow their example.

Mr. *Brougham* observed, that some persons seemed to be under a great delusion on this subject, and to consider that all who in their addresses to his majesty had not expressed themselves hostile to the proceedings against her Majesty, were in favour of those proceedings, which was any thing but the fact. He had yet to see an address in which those proceeding were favourably spoken of. The hon. baronet had said, that the people of this country would return to their senses, and, that the people of Scotland were about to take the lead in that return. It was not to be endured, that the people should be told, that all ranks, from the highest to the lowest, were mad. Such was not the respectful and conciliatory manner in which the people of a great nation ought to be treated. If they really were out of their senses, that was not the most effectual way to bring them back to a sane mind.

Mr. *Forbes* said, that the petition presented from Aberdeen had not been respectably signed, and that the names of a number of boys and persons of no consideration had been affixed to it.

Mr. *Hume* knew, that such an assertion had been made, but, from the best inquiry he could make, he believed there was no foundation for that statement.

Sir *R. Fergusson* said, he would state it as a fact, that at every county meeting that had been held, even the party calling the meeting were loud in the declaration, that they did not mean to say one word in favour of ministers.

Sir *R. Wilson* presented a similar petition from the parish of St. Saviour, Southwark. Having attended that meeting, he could vouch for its respectability. The proceedings of that meeting had received the sanction of many who had never before mingled in politics, and who would sacrifice their lives and fortunes in support of the king and constitution; but they wished to see the administration of public affairs put on a better footing than at present. He was convinced, that, so strong was the feeling on this subject, if the name of her majesty was not restored to the Liturgy, not only the new churches would be useless, but the old ones would be deserted.

Mr. *Calvert* supported the petition, and bore testimony to the respectability of the inhabitants who had signed it.

The several petitions were ordered to lie on the table, and to be printed.

PROVISION FOR THE QUEEN—COMMUNICATION FROM HER MAJESTY.]—Lord Castlereagh having moved the order of the day, for going into a committee of the whole House, on so much of the king's Speech, as regards a Provision for the Queen,

Mr. *Brougham* rose, and said, that he had received her majesty's commands to present to the House the following message:—

"Caroline, R.—The Queen, having learned, that the House of Commons has appointed this day for taking into consideration the part of the king's most gracious speech, which relates to her, deems it necessary to declare, that she is duly sensible of his majesty's condescension in recommending an arrangement respecting her to the attention of parliament. She is aware, that this recommendation must be understood as referring to a provision for the support of her estate and dignity; and, from what has lately passed, she is apprehensive that such a provision may be unaccompanied by the possession of her rights and privileges in the ample measure wherein former Queens Consort, her royal predecessors, have been wont, in times past to enjoy them:

"It is far from the Queen's inclination needlessly to throw obstacles in the way of a settlement, which she desires, in common with the whole country, and which, she feels persuaded, the best interests of all parties equally require; and being most anxious to avoid every thing that might create irritation, she cautiously abstains from any observation upon the unexampled predicament in which she is placed; but she feels it due to the House, and to herself, respectfully to declare, that she perseveres in the resolution of declining any arrangement while her name continues to be excluded from the Liturgy. — Brandenburgh House, Jan. 31, 1821."

On the motion, that Mr. Speaker do now leave the Chair,

Mr. *Western* said, that even if no communication had been made from the Queen, he should still have felt bound to resist the motion of the noble lord. He, for one, on this day, would not consent to take a single step towards granting any supply: nothing but a change of measures, and a full explanation on the part of ministers, could induce him to comply with the proposition, that the Speaker should leave the chair. In the first place, he would say, that he thought it was the duty of the House not to grant a farthing of the public money, in the present state of the country, until a complete and comprehensive inquiry had been instituted into the expenditure, with a view to extensive reductions, in some degree commensurate with the extensive and universal distresses of the times. He submitted, with confidence, that when all classes were suffering to an extent without precedent, the House ought to set on foot some measure of general and effectual economy. He was acting consistently with a regard for the constitution, and conformably to his duty as a member of the House, in endeavouring to guard the purse of the public. He would not now press this subject farther, but he was convinced, that it was the feeling of the country at large, that the parliament ought to direct its attention, in the first instance, to the adoption of some measures, that would lead to a reduction of the general public expenditure. He, for one, would not advance one step till some plan of that nature were proposed. He would now address himself to the question of the vote which the House was about to give; and he entreated the attention of honourable members to the situation in which they stood. One of his majesty's ministers had avowed his intention of moving that night for a grant to her majesty; but the House would recollect, that the noble lord, when he gave that notice, had most unjustly taken occasion to say, that her majesty was, in his opinion, guilty of the charges that had been brought against her. The noble lord had said, that though her majesty had obtained a technical acquittal, she had been virtually convicted, on the verdict of 123 peers, and also of some other noble lords, who had voted against the bill for reasons of policy and expediency, but who had, at the same time, declared, that in their opinion, she was guilty. Thus the noble lord, in the same breath, had dared to pronounce the Queen guilty of adultery, and to announce his intention of proposing a grant to her out of the public money. What were the people of England to think of a minister who acted in so inconsistent a manner? The indictment having been withdrawn, and that act being on every principle of justice equivalent to a verdict of acquittal, was it to be allowed, that any individual, either in that House or out of doors, should charge her with the crime of adultery? Would such a charge, or would it not, be a libel if uttered out of that House? And, did any man pretend to say, that the late proceedings against her majesty would authorize the noble lord to utter, without the walls of parliament, that she was guilty of adultery? If he would not be authorized to say so out of doors, in common sense, and in common justice, the noble lord had no right to use such language in that House. If such a right to traduce her majesty really existed in consequence of the late proceedings, then he would say, that the bill of Pains and Penalties was a thousand times worse than he had ever imagined it to be; for although it had been withdrawn, it would appear, that the punishment which it enacted was still to be enforced. The question to be determined was, whether the Queen was guilty or innocent, and the bill was the mode which the ministers took of determining that fact. That bill had been withdrawn. The withdrawal of the bill was, he contended, equivalent to an acquittal; and he would not vote a single shilling, unless the House came to some understanding, and the distresses of the country were taken into view. He would not in one moment say, that the Queen was guilty, and vote her a sum of money as if she were innocent. The proposal should have his determined opposition, and he would move, "that the House do now adjourn."

Lord *Castlereagh* said, he should first address himself to the preliminary observation which had been made by the hon. gentleman. The hon. member had said, that he would not vote for any grant of the public money until the House had entered into an inquiry into the general distresses of the country. He must observe, however, that the motion at present in the hand of the Speaker did not interfere with the general supplies for the year; and certainly, the plan which the hon. gentleman proposed, namely, to suspend all the usual grants for the public service, was rather a novel mode of relieving the public distress. The hon. gentleman had said, he would not agree to any vote of the public money, until all the questions relating to the agriculture, the commerce, and the general state of the nation, had been inquired into; [cries of "no, no," from Mr. Western and several other members;] and surely it was not necessary for him to argue against such an opinion. He should therefore proceed to make some remarks on the communication made to the House by the Queen, in which she stated, that until her name should be restored to the Liturgy, she would not accept any pecuniary grant from parliament. Undoubtedly, her majesty would be at full liberty to exercise the right of abstaining from receiving any benefit from the grant [Hear, hear! and a laugh.] He was sure he did not mean to speak in an offensive sense; for it was evident, that, from the beginning of the proceedings nothing was farther from the wish of his majesty's ministers than that this unfortunate and illustrious individual should be visited with any measure of severity, as to pecuniary matters. Her majesty had, on a former occasion, declared, that she would not take any money except from parliament. Her law advisers might have informed her, that it was from the Crown only, not from parliament, that she could receive any pecuniary supplies. Parliamen enabled the Crown to make the provision, but the Queen could only receive it from the Crown. She was misinformed; she was travelling into those unconstitutional errors which she had before been led into. She was erecting herself into a great power in the state. They had heard before, from an hon. member, that she divided their allegiance with the king. Her majesty talked too of *her* subjects and *her* people—

Mr. *Wetherell* rose to order. He said, that when, on the other night, after an argument of a legal nature which he had delivered, Mr. Attorney-General had imputed to him—[cries of "Order! Chair!"]

The *Speaker* said, the learned member should state the point on which he rose to order.

Mr. *Wetherell* said the point was this:—When the Attorney-General had on a former night attributed to him—

The *Speaker* said, the learned gentleman would feel that it was not necessary to the statement of a point of order to recapitulate a former debate.

Mr. *Wetherell* said, the noble lord had attributed to him the expression, 'that the subjects of the King owed allegiance to the Queen also.' He appealed to the recollection of the House, whether, when that expression had been attributed to him on a former occasion, he had not risen to deny it.

The *Speaker* said, that it was disorderly to refer to a former debate. He did not conceive, that the noble lord had referred to any particular member. But, if allusion was made to a former debate, which too frequently happened, and if misrepresentations arose, it was more regular and convenient to make it a matter of explanation than of order.

Mr. *Wetherell* said, he grounded his appeal to the House on the noble lord's having attributed to him expressions in a former debate which he had never uttered ["no, no!"].

Mr. *Hume*, to order, said, they had a right to know whether the noble lord meant what he said, or knew what he did mean ["Order! Chair!"].

The *Speaker* said, he was sure the House would think he was wanting in his duty if he did not interpose. Allowance was, of course, to be made for any slip in debate; but nothing could be more disorderly than to put it hypothetically, whether an honourable member meant what he said.

Mr. *Hume* said, he conceived the noble lord to have been disorderly, in imputing to her majesty, that she had been travelling into unconstitutional errors, and that she claimed the allegiance of the people as her subjects.

The *Speaker* said, the hon. member would, he thought, perceive that this was rather a matter for correction than a question of order.

Lord *Castlereagh* proceeded. The hon. and learned gentleman would have found if he had been allowed to proceed, that he was not out of order. With respect to the appeal to order from the honourable gentleman under the gallery (Mr. Hume), respecting her majesty's attempts to exact allegiance, he had yet to learn, that her majesty's sovereignty was so far established in that House, that her name was not to be mentioned without such a notice as a call to order. If he was inaccurate in the reference which he had made to her majesty's language, the hon. member might, at a subsequent stage of the debate have corrected him, with the authoritative tone with which he was accustomed to speak on this subject. He certainly did not travel about with the whole mass of the literary productions of her majesty, in which the hon. member took so tender an interest, that it looked as if he was acquainted with them before they were committed to print [a laugh]. There had been, however, just now put into his hands, by an hon. friend, some passages, in which the Queen, in her answers to addresses, held out the idea which the hon. member had declared could not be attributed to her. In her answer to the people of Dover, she said, "I trust, that some period will arrive when I may be permitted to promote the happiness of my subjects." To the Canterbury address she said, "I shall be happy to do any thing for the good town of Canterbury, and to make my people happy" [Hear! and a laugh]. If they saw how her majesty proposed to make her people happy, from the whole body of her subsequent productions, they would find, that it was by a subversion of the whole of our constitution in church and state, and, by what was essential in the view of the hon. member, a reform of the representation in that House on the largest scale.—Not to dwell longer upon this interlocutory matter, which he hoped would be a lesson, in point of order, to the hon. gentleman, who was more ready to call people to order than any of his acquaintance. He was sure, that the House would not tolerate any person, however illustrious, to make conditions with the House in the discharge of its functions. He was not in communication with her majesty, but, he had received a communication from the Crown; and the question now was, whether the House would take that communication into consideration, and grant what it might deem a proper provision for the Queen. If the House of Commons were disposed to recognise the sovereign power assumed by her majesty, they would soon see in what manner she would exercise this novel control. She had said formerly, that she would not accept any grant unless it came from parliament; now, when she saw it was about to be given by parliament, she said she would not take it unless her name were restored to the Liturgy; and, if that point were conceded, she might to-morrow, in this spirit, declare, that she would not take the provision, unless she were received into one of the royal palaces and admitted to all the rights and privileges of Queen Consort. The plain English of all this was, that the Queen would not acquiesce in any arrangement calculated to give tranquillity to the country—[Hear!]—would consent to nothing short of having the throne and the constitution of the country prostrate at her feet [Hear, hear!]. He would provide better for the safety of the subjects, not of her majesty, but of George the Fourth; and while he lived, and had any share in the councils of the king, he would never submit to have the constituted powers of the country dictated to by any individual whatever. What did the hon. member for Essex mean by saying, that he would not vote for any grant at all to the Queen, except on the ground that her innocence had been proved? Did not the hon. gentleman know, that even if the bill had passed both Houses of the legislature, and received the royal sanction, it would have been a degradation and disgrace to parliament not to have voted a suitable provision for the illustrious individual. There never was a shadow of doubt, that a provision must have been made, however the prosecution was decided; and the only question was as to its amount? He would tell the hon. gentleman, that if he had permitted him to go into the committee and unfold the proposition he had to make, without departing from the usual order of discussion, he would have discovered, that it was not his intention to have touched at all upon the subject of the Queen's guilt or innocence. He should have thought it unmanly to bring her majesty's conduct judicially before the House; nor was he prepared to put that to a decision upon one short vote, which had occupied the House of Peers so assiduously for many months. But, was he therefore to sit down under all the taunts and revilings of the gentlemen opposite, heaped upon him and his colleagues, for discharging the most arduous duties ever imposed on any ministers? Was he to suffer them to call that oppression and persecution which had been a most painful duty, most conscientiously fulfilled. Was he to have the gentlemen opposite assailing the prerogatives of the Crown, without stating to the House all the prudential considerations on record, staring them in the face, and which they were bound to take into view, in forming a judgment in this matter, consonant to the duties they owed to the sovereign and to the country? Was he to suffer the gentlemen opposite, or their friends, to agitate the country to its foundation, by continual milk-and-water motions, such as those brought from the North of Scotland, and others of a similar kind, without their ever daring to bring the question fairly to issue, or putting it on its broad principles to a vote of the House?—Why did they not meet the justice of the case? Why did they resort to such opposition as those of the noble lord and the hon. member for Essex? The thing was so obvious that every man with half an idea must see, that all they were contending for was power in the state. It was for this they were agitating its peace, and aggravating those distresses which the hon. member for Essex, affected so deeply to lament.

Mr. *Tierney* rose to order. The assertion that the gentlemen on his side of the House agitated and inflamed the country, merely for the sake of getting into place, could not, by possibility, be orderly.

The *Speaker* said, he was waiting for the conclusion of the noble lord's sentence, to inform him, that it was not in order to speak of any hon. member's affecting to deplore the distresses of the country.

Lord *Castlereagh* assured the hon. member for Essex, that he had not used the word to give him pain; than which nothing could be further from his intention, nor less consistent with the respect he entertained for him. He was most reluctantly impelled to pursue the course of argument in which he had indulged; for he never could allow the House and the country to be misled as to the nature of the proceedings against the Queen, in the manner that had been attempted by the gentlemen opposite. The withdrawal of the bill, he was ready to admit, was an end to the question of guilt and innocence, in-as-far as it was determined to originate no new proceedings. But his noble friend, in another place (the earl of Liverpool), in taking that step, was not to be considered as having thereby sacrificed his entire judgment upon facts. He had also a right to refer to the protests signed by peers after the third reading. These protests formed public records which could not be put out of sight on this question. All that he could do, in making the provision for the Queen was, to abstain from agitating the question of guilt, or innocence; and making the offer without asking any admission of the former on her part. Parliament was not to be disturbed from its course by her interference. She might, if she pleased, reject the grant when it came to her in a proper shape; but the House had nothing to do with her objections now. It was for the House to proceed to the order of the day on his majesty's gracious communication. And he protested against this attempt to disturb the peace of the country, or to dictate to the wisdom of parliament, on a point which must inevitably lead to the agitation of other subjects, and to prolonged irritation and ferment.

Mr. *Tierney* said, that after the observations which had been made in the course of his speech, by the noble lord who had just sat down, he felt it incumbent to offer a few words. Indeed, he would acknowledge, that on no former occasion had he ever felt so desirous to address the House. He had taken the liberty of calling the noble lord to order when he said, that all the objection which had originated on the opposition side of the House was intended or calculated to disturb the quiet of the country; and he should the rather address himself to the noble lord now, because the noble lord seemed on these occasions to have some personal quarrel with him and to attack him, as a person at all times willing to disturb and embarrass the operations of ministers, in his eagerness to obtain place himself, and to expel the noble lord and his colleagues from it. Now, he would not stoop to the meanness and little deception of saying, that he was not ambitious. He had always held those persons cheap who affected to despise proper and honourable rewards, which the possession of office conferred on him whose talents were dedicated to the performance of its duties; and not less so, those who thought, that the acceptance of office necessarily implied a violation of political integrity and connexions. For himself, he knew of no bond by which power could be gained, no connexion by which success could be ensured, but the union of the views and principles of those who were united to attain it. In this sense, perhaps, the opinion of the noble lord might apply to him, and the other gentlemen on that side of the House. But, if that noble lord meant to insinuate that power, and power only, was the object of himself and his honourable friends around him, and that they would consent to accept power on the same terms as those on which the noble lord held it, he threw back the imputation in the teeth of the noble lord, and could tell him, that he would rather die on a dunghill than sanction such acts as they had seen performed there [Hear, hear !]. He was bound to apologize to the House while he resisted the attacks of the noble lord, and to make good allowances for his lordship's warmth. "I (continued Mr. Tierney) may be warm, as the noble lord insists that I am, for the purpose of getting into office ; but of this I am sure, that he is very warm on the slightest prospect of going out." There was, however, nothing extraordinary in the conduct of the noble lord. He who had no substantive merit of his own, could only rise by degrading or attempting to degrade his adversary, and he who could not stand by himself might think, that he was likely to preserve office, just as much as he could do by actively defending it, if he deprecated and decried all competition ; and this, in truth, was the real object of the noble lord. Meanwhile, however, the demand for the restoration of her majesty's rights was loud and general throughout the kingdom, from the North of Scotland to the Land'-send. But the noble lord had judged, and very wisely, that the re-establishment of the Queen's character, and the restoration of her rights, would necessarily be fatal to his continuance in office. He knew very well, that if her character were re-established by restoring to her those privileges of which she had been deprived, that parliament would be only acting in accordance to the wishes of the country. "But," said the noble, lord, "do you suppose to-day, that I am so unmanly as to throw out any insinuations against the Queen ?" What the noble lord might be at the present moment, he did not know ; but he should say, that the noble lord did not act as if he were incapable of throwing out unmanly insinuations. If, indeed, he were required to state what was the most unmanly attack ever aimed against a defenceless woman, he should say, that the latter part of the noble lord's speech on Friday night was of all others the most unmanly. He did not hear the first part of that speech, because he had been prevented by indisposition ; but the conclusion was of a character which could little warrant the disclaiming assertions of the noble lord.—The noble lord had thought proper to attack the Queen's message. On the propriety of that message he was not called upon to pronounce any opinion at present; but this he would say, that were he placed under the same circumstances, he would have done the self-same thing [Hear]. The noble lord complained, however, that the message was levelled against their dignity and privileges ;—that it attacked the prerogative of parliament. Why, on the contrary, it was expressly framed to obviate any such objections. If the Queen, indeed, had sent it before she knew, that there was any intention of making such a provision for her, there might be some reason for the objection. But what did she, in fact, say ? The purport of the message was this :—"I have heard, that you are about to take my case into consideration ; but I beg, that you will not trouble yourselves at present upon the subject of any pecuniary allowance, because I owe it to my character, after all that has passed, to tell you, that I cannot take your money unless you absolve that character." This was what she said ; and he liked her spirit for it. But the noble lord went on to say, and to speak of it as if it were matter of forbearance, that no new proceedings were intended against the Queen. What, then ! This persecuting system was not to be put in action again. And why not ? He would tell the House. Because the noble lord dared not. Well then ! New proceedings were to be abstained from. "But," argued the noble lord, "I have a right to rip up every thing which has passed—I have a right to reflect upon her character by referring to every mean, and base, and cowardly artifice which has been at any time used to impeach it." The noble lord told them, that they were bound (to use his own phraseology) to consider the whole surface of this case, as it appeared on the proceedings of the House of Lords. He (Mr. Tierney) felt, that he, of any man in that House, was perhaps the most entitled to complain of the charges which the noble lord had alleged against him and his friends, that they wished to excite disturbance and agitation in the country by the part which they had taken out of doors. Now, he had been so unfortunate as to subject himself to some reproach from his own friends for being too lukewarm in the business; and he had incurred (if that expression were the proper one) the compliments of the noble lord for his moderation. The fact was, that he had not assisted at any of the public meetings which had recently been held, although he had been solicited to do so, because he had felt anxious to keep his mind clear of every prejudice and bias, and to give no opinion upon the matter before it came under the notice of the House. It was hard, therefore, that he should be subjected to the imputations of the noble lord. He had now solemnly to declare, while he was on this subject, that he did view with perfect horror, the doctrine which he had heard advanced within the last week or two. He viewed it, perhaps, with the greater abhorrence, as having himself been brought up as a lawyer. It was a doctrine totally abhorrent from the principles of any gentleman of education, and one which, so help him God, he could never have thought the desperation of the most discomfited administration could drive them to. He alluded to those new, unheard-of, and dangerous propositions which had been advanced in other places to excuse the proceedings of ministers, and more particularly their omission of her majesty's name in the Liturgy. But the noble lord said, that 123 peers had concurred in a conscientious vote against her majesty—for this was, he supposed, what the noble lord meant, though his meaning was wrapped up in a most remarkable phraseology, so well described by his hon. and learned friend, as filling the ear and eluding the mind. The same observation was recorded in the noble lord's own paper [here Mr. Tierney took a newspaper from his pocket, and was preparing to read from it, when he was interrupted by cries of "Order," which induced him to put it back again]. Well, then, he had heard it stated, that a majority of the House of Lords had expressed an opinion, that the Queen was guilty. If he might refer to that quarter where he saw the observation, he could show it to the noble lord out of his own paper; but it seemed it would be highly irregular in him to refer, though the noble lord well knew where to look for it. Be this as it might, he denied the truth of the observation altogether. He would say, that the 123 peers had done nothing of the kind. He would say, that 123 peers voted for the second reading of the bill, but he denied, that they ever meant to declare a verdict of guilty against the Queen. If the inference which the noble lord drew from the circumstance of the second reading of the bill were correct, of what use was it, that in that House there should be more than one stage through which it was necessary every bill should pass? Perhaps the noble lord who seemed so conversant with the intention and meaning of so many members of the other House, could state why 14 out of those 123 peers had abstained from voting for the third reading. It was notorious, that many noble lords did vote for the second, who did not vote for the third reading; and how often did the same thing occur in the House of Commons, where those who had supported a bill as far as its committal, afterwards opposed it! He himself had often voted for the second reading, in the hope and expectation, that by the discussion of its subsequent stages its defects might become more apparent, and its ultimate failure be thereby insured. Yet now they were to be told, by implication, that a second reading excluded all power of giving any opinion in the future progress of the bill, and that those who had voted on the second reading were shut out from recording a different opinion in the last stage, whatever reasons they might have for forming such different opinion. If that indeed were the case, he would say, that the most degraded wretch who lived in Turkey enjoyed the same portion and the same purity of liberty as those who lived under the British constitution. If then, that extract which he must not quote were correct, the bill rested with the noble earl in the other House up to the second reading only. For what was the argument of the noble lord opposite? "Let us have the second reading only, and then it is the bill of the House, and his majesty's ministers are relieved from all responsibility." But why did not the noble lord take the third as well as the second reading; for the third must have been at least as much to the purpose as the second. Why was this? Because he must have acknowledged, that on the third reading, the "moral conviction" was confined to a majority composed of the prosecutors themselves; that the only persons who felt this "moral conviction" unanimously were the ministers, who depended for their places on proving the criminality of the Queen. The assertion, that the Queen had been declared guilty was monstrous. If such a decision was to weigh against a person accused, what were they to think of the blessing of the trial by jury? In a jury trial there were unanimity and secrecy. One of the ablest men who ever sat in that House, sir W. Grant, in a debate on a bill introduced by the late sir S. Romilly, who had proposed to allow a prisoner his costs in certain cases, when the judge might feel convinced of his innocence, said (and wisely), that they would thus destroy the sanctity of a verdict of acquittal, by setting a judge on it to measure its value—that it might be said, when a man was acquitted but was refused his costs, "You were acquitted, but your character is not clear, for the judge did not think your innocence proved." No judicial man in the country would, he was persuaded, object to the principle of this opinion; and yet, ministers manifested a disposition to act upon a different principle with respect to the Queen, after getting rid of the bill of Pains and Penalties, when it had been read a third time. The noble lord had no doubt said, that it was not intended by ministers to take any farther measures against her majesty; but yet they allowed no opportunity to pass without casting a stigma upon her honour and character. To promote that purpose indeed, the noble lord had upon this occasion quoted the official records of the other House of Parliament, so far as they appeared to suit his view; but, not contented with that, the noble lord had undertaken to assign motives for those noble members of that House, who had not thought proper to support the bill of Pains and Penalties. The noble lord, however, had, in his references, seemed to forget the declaration of his noble friend, lord Liverpool, at the outset of the proceedings, namely, that if her majesty were not proved guilty, she was entitled to the enjoyment of all her rights and privileges—for, notwithstanding this declaration, the noble lord had argued as if the proposed pecuniary grant to her majesty had no reference whatever to the question of her guilt or innocence. The noble lord had said, the other night, that there was a moral conviction operating on the minds of the peers and of parliament generally against entertaining any respect for the Queen. Yet now the noble lord found fault with the hon. member for Essex, for being reluctant to vote away the public money. The noble lord, who seemed, by-the-by, to think nothing of the public money himself, said almost in terms, "What a strange fellow you are! You say, that we have acted unjustifiably towards the Queen, and yet you oppose us when we are going to make a provision for her. I am merely asking to vote away a sum of public money." He agreed with his hon. friend; he should object to vote away the public money under the circumstances. When he heard the noble lord declare, that though the Queen was "technically acquitted, she was morally guilty," he did marvel at the steadiness of the noble lord's countenance, especially when he proceeded to argue, that any man who doubted the propriety of voting 50,000*l.* a year to a person so circumstanced, could have no object except to raise a clamour and make a disturbance in the country. The noble lord exclaimed—"You are leagued against the public tranquillity." Now he (Mr. T.) did not think, that he was a likely man to be accused of having a design against the tranquillity of the country. Ministers complained, that on the present occasion, they had not been opposed by a direct motion of censure, but by a mere milk-and-water mode of proceeding. Now, a milk-and-water mode was surely not one calculated to disturb the peace of the country. The noble lord was always affecting to hold out to the House, that he had no objection to be tried on this question; but then he wished to be tried on his own statement; he was most desirous to draw up the indictment. The Queen, in his humble judgment, stood just in the most painful situation that a woman could do. She had gone through the severest trials which could possibly fall upon any woman. As for bills of Pains and Penalties, so many objections to them would occur to every mind, that he would not detain the House by animadverting upon them. Such, however, had been the unconstitutional measure to which ministers had resorted on this occasion; and, after all the injury which they had inflicted upon her majesty, the only panacea for her wrongs was, that she was now to learn from the noble lord forsooth, that the bill had been brought before one House of the legislature only. This kind of palliation was most inconsistently attempted by the noble lord, in the same breath in which he insinuated, that a verdict of guilty had been recorded against her majesty; and yet he admitted, that the publication of that verdict was "only" delayed till it should have received the royal assent. And up to that moment supposing it had ever arrived, he (Mr. Tierney) denied, that there was any verdict whatever. but the noble lord maintained, that these proceedings were had conformably to the feelings of the country. Did he mean to say, that what he was doing now, was conformable to those feelings? For his own part, he could only say, that the lords themselves, who did not represent the people, who were appointed, by the wisdom of the constitution to sit in the other House, and for life, appeared to have had a much stronger sense of those popular feelings than the noble lord, who ought to have had the best opportunities of ascertaining what they were. Where in the other House did the noble lord find the sense of the people? Did he collect it from a few votes? Where did they, in the House of Commons, find the sense of the people? In the innumerable petitions heaped upon their table, and forwarded every day, even from the most remote corners of the kingdom. Where did they ascertain, that the petty malice, the persecuting hostility, the mean and little attempts unceasingly made and exercised to defame her majesty's character, only increased its weight and interest with the nation? In the same documents, which manifested so clearly what the people really thought and felt upon this subject, was there a man who would dare to come forward and say, that the persecution of the Queen, cowardly and unmanly as it had been, accorded with the public sentiment? The right hon. gentleman proceeded to compliment the manliness and sincerity of those eight or ten peers, who, having voted for the first, second, and third readings of the bill, had entered protests against its being withdrawn. They were manly enough not to stand cap in hand to the noble earl who had brought in the bill, but, while they voted with him, to assign their reasons for that support. True it was, that having so voted for the second and third reading, they considered that the bill should pass. And why? first, because they believed the Queen's guilt, as they said; but he would give them credit for a higher motive also—namely, that they wished to get the Queen out of the fangs of the noble lord, and of the cruel consequences which must have followed on it. But what was the object in giving the bill up? He would tell them. It was given up, because if it had come down to the House of Commons it would have died a natural death, and because it was necessary to ministers to carry the measure on so far, in order to throw something like an imputation, or a shade of guilt, upon the Queen. The noble lord told them, in order to justify his aspersions on the Queen—

Lord *Castlereagh.*—I threw out no aspersions against the Queen.

Mr. *Tierney.*—What! did the noble lord mean to say, that the omission of her name was no aspersion on her character? Was the manner in which he had treated the proceedings and their result no aspersion? Or did the noble lord think, to advert to another part of his speech, that the course he was adopting was of a nature to tranquillize the public mind? The noble lord seemed to think that 50,000*l.* a-year was a salvo for every thing; but he was mistaken in his estimate, both of her character and of public opinion. "I honour her majesty," continued the right hon. gentleman, "for her message of this day, because it shows—what persons in office are not accustomed to show—that she prefers a fair character to every other earthly consideration." After such a message, he knew of no right which the noble lord had to say, that she was attacking the prerogative of parliament or the Crown. On the contrary, he maintained, that if she had allowed the House to vote her the money, and then refused to accept it, such a charge might have been well founded. The whole of the conduct pursued by ministers towards the Queen was marked by a little, petty, rancorous malevolence; and he would like to see any sign of a spirit of accommodation and kindness pointed out in one line, even of the speech from the throne. "I have from time to time caused those advances to be made, which by law I am entitled to do." Was this the language that ought to be used to parliament in speaking of such a personage? When they were called on to vote a grant of this nature, it should have been said to them —"You are to make such provision for the Queen as may be fitting her rank and station; it is for you to determine what it shall be." What, then, did the noble lord mean by talking of "an allowance under present circumstances?" What was meant by the word "arrangements," which he had so often repeated? He begged to call the attention of the House to this sort of indefinite phraseology. Something was meant by it, he was afraid, which they did not at present see. "But," said the noble lord, "will you not vote something for her maintenance?" Most undoubtedly he would. And even, if she had been guilty, considering who she was, what she had been, and from what race she sprang, he would vote for an allowance to support her for the remainder of her days. But, when the noble lord came to propose 50,000*l.* a year, he felt, that he should not be justified in voting that sum, unless they could make out, that her rank and character were so unimpaired as to merit such a grant—in short, unless ministers themselves made out that she had not forfeited the rights of her high station. He agreed, therefore, with his hon. friend the member for Essex, that they could not vote for such a grant until they knew, that they voted it as to the Queen, pure and unimpeached. What was meant by keeping the Queen in so anomalous a situation? What was was meant by proposing to a Queen entitled to all her rights and privileges, 50,000*l.* a year in so strange and extraordinary a manner, when the only question ought to be, whether that was or was not a sufficient sum for her dignity? If the noble lord opposite and his colleagues would not consent to have the Queen treated as an acquitted person by having her name restored to the Liturgy, he must not complain of the public inquietude, or of the frequency of motions in that House upon the subject. The noble lord must indeed prepare his mind for other motions, in addition to that of which his noble friend (lord A. Hamilton) had given notice, and which notice appeared to give so much uneasiness to the noble lord. To the noble lord's own conduct, however, the multiplication of such motions was alone to be traced. The noble lord had only to yield to the opinion of the public, and to the voice of justice, and the motions which he deprecated would at once cease. But the noble lord appeared to rely altogether upon the majorities in that House, for the defence of his conduct, and, for the vindication of his government. This, however, the noble lord might be assured was not a safe ground of reliance. The noble lord should remember, that there was a very material difference between the state of the public mind at present and forty or fifty years ago; for what were called the lower orders (he did not recollect whether the noble lord had so characterised them) were now become so generally informed, that they knew well what was passing about them, and the fear was, that their judgment might be warped by their distress. The feeling of the people was not, indeed, to be treated with disrespect. No prudent government could possibly disregard that feeling, especially upon a question in which it was universally and warmly interested. This question was that which the House was then called upon to consider, namely, whether, as her majesty had been acquitted, she was not entitled to all the benefit of an acquittal? The noble lord might calculate upon his majorities, but he must know, that no individual could now conscientiously vote the negative of the proposition, that the original omission of the Queen's name in the Liturgy was an inexpedient proceeding, although a learned friend of his had once observed, that this omission involved no disgrace or insult. But the universal impression of the country was such as to call for the restoration of the Queen's name to the Liturgy—that restoration was indeed essential to the preservation of the public peace, as well as to the establishment of the proper dignity of the Queen. But, notwithstanding the lofty tone of the noble lord, that restoration must take place. So confident, indeed, was he upon this subject, that if he had only ten members of that House voting with him, while he saw the other 648 voting for the noble lord, he would still calculate upon that final result which the country demanded, namely, that as her majesty had been acquitted, she should have all the benefit of an acquittal, especially in the insertion of her name in the Liturgy.

Mr. *Bathurst* said, that the right hon. gentleman had excluded from his consideration the most material part of the speech from the throne which affected the Queen, and which stated the provision formerly made for her, to have expired—and of course made it necessary, that another should be made. The Queen being at present without any provision whatever, the House would see what was meant by the words "present circumstances." He contended, that there was no difficulty as to form in the way of their proceeding to take the subject into consideration. The kind of provision which it might be necessary to make, he dismissed altogether for the present, as that could only be properly discussed in the committee. The right hon. gentleman complained of the mode in which his noble friend had referred to the proceedings in the other House of Parliament. These proceedings were now the property of the country, and might be referred to by any one, and were therefore liable to be commented upon. The right hon. gentleman had complained, that the bill of Pains and Penalties was spoken of, having only passed a second reading, as if it had passed through all its stages. On this point he wished to meet the right hon. gentleman. He must complain, that this bill had been assimilated unfairly to ordinary bills in that House. On the second reading of the bill of Pains and Penalties the merits of the bill were under consideration. On the third reading it was regular to revert again to the principle. When he voted for the second reading of a bill, he was bound in fairness to vote for its third reading, if it had gone unchanged through a committee. But in a bill of Pains and Penalties and in a bill of divorce, evidence was received to prove the preamble, and afterwards the question came to be, Was there or was there not grounds for the bill on the evidence? Had not the right hon. gentleman heard it said, in the other House, that if the second reading should be carried, an indelible stigma would be fixed on the Queen? This was an admission from those who opposed the bill, that the second reading expressed a judgment upon the merits of the bill. What passed afterwards was of another description. The passing of the bill had been a question mixed up of policy and of the different provisions of the bill. Had there not been a motion for striking out the divorce clause? But they had a right to form their own judgment, and notwithstanding what the right hon. gentleman had said of the people of England, the people of England did form a judgment upon the evidence, independently of what was done in this or in the other House. What had been imputed to his noble friend was correct, so far as he had said, the Queen was entitled to all her legal rights as much as if there had been no prosecution; and all the conduct of ministers had proceeded on that ground. The gentlemen on the other side understood it differently; for all the petitions not only prayed for the restoration of her majesty's name to the Liturgy, but for preventing any further prosecution. He did not know whence the petitioners had collected, that any further prosecution should be instituted. The right hon. gentlemen had said, that the bill would have been thrown out in this House on the first reading. That would make no alteration on his mind. But they could hardly expect, that what had been admitted and confessed in the other House could be denied here. The Queen, he admitted, was entitled to her legal rights, as if no prosecution had taken place; but the insertion of her name in the Liturgy was not one of them. If the sense of popular meetings were to regulate their decisions, he might be allowed to state, that at many meetings which had taken place, petitions had been agreed to, expressing as much horror at holding up the Queen as an object of favour, as other petitioners could feel at the idea of an opposite course being pursued. It was not necessarily a stigma on the Queen that her name was not inserted in the Liturgy. It was admitted, by the right hon. gentleman himself, that whatever had been the result of the late proceedings, parliament must have been called upon to make some provision for her majesty. This being admitted, what fair objection could be urged to the course now taken? When it was said, on the part of her majesty, "I will have no provision unless you, the House of Commons, will undo your resolution, unless some member of the House of Commons will move, that my name shall be restored to the Liturgy," it was then for them to consider, whether they should suffer themselves to be influenced by such language. The question was not now, what kind of provision should be made for her majesty. That would be the subject of discussion in the committee, but the question was, whether any provision at all should be made; unless the House chose to be dictated to by her majesty herself, who in effect said, "If you do not retrace your steps, and say, that all that has been done ought to be undone, and declare, that my character is not at all affected by the evidence which has taken place, I will not respect any thing that you may think proper to decide upon."

Lord *Folkestone* said, he could not refrain from taking that opportunity of addressing a few words to the House. He entreated the House, if it had any regard for its own character, and the estimation in which it must stand in the opinion of the people, to pause even at the last hour before they proceeded in this business. No man had deplored and deprecated these proceedings more than himself—from their very commencement—from the time that the message, accompanied by the green bag, first came down to the House. He foresaw the mischievous consequences which would inevitably result from them, and every day's experience had confirmed the opinion which he first entertained—that the longer they were continued the greater calamities were likely to ensue. He would go no further back than to the speech of the noble lord opposite, and he would then ask the House whether, from the tone and temper of that speech, it were possible that the discussion of this subject could go on without infinite calamity to the country? If, at this fourth day of the session, the noble lord could exhibit so much intemperate and angry feeling, what had the House to expect, after a few more discussions, but an exhibition of feelings still more inflamed and exasperated? If the noble lord, with all that command of temper which he usually possessed, could still charge his right honourable friend with the design of disturbing the tranquillity of the country, what, he would repeat, had the House to expect from protracted discussion? It was an extraordinary spectacle to see a minister of the Crown coming down to the House to move for an allowance to the Queen, and taking that opportunity of throwing out sarcasms against her majesty, charging her with an attempt to establish a separate authority in the state, and to exact allegiance from the people; accusing her, in fact, of an offence very little short of high treason. Was this a fit exhibition on the part of a minister of the Crown? The right hon. gentleman who spoke last had talked of the admission of her majesty's name to the Liturgy as a matter of favour to her majesty. Now, he knew of no favour asked for her majesty on his side of the House; they asked only for those rights to which she was entitled, and those dignities which became her station. But if favour were to be granted to any quarter, it might be surely granted to the prayers of the people. Was not the table of the House loaded with petitions from all parts of the kingdom, every one of which prayed for the restitution of her majesty's just rights and privileges? Surely it was due to the country, that the House should not turn a deaf ear on their petitions, when they were about to vote a sum of 50,000*l.* as a provision for her majesty, to be wrung from an impoverished people. They were bound to listen to the unanimous wishes of the people, and restore her majesty to the full possession of her rights. But the noble lord said "no; we will not restore her majesty to her rights, for her conduct has been unconstitutional." This House, truly, was to hear a grave charge of unconstitutional conduct against her majesty—and from whom? Why, from the noble lord opposite! A charge of unconstitutional conduct from the noble lord opposite! That noble lord, who had instituted a bill of Pains and Penalties against her majesty—that noble lord, who had violated the first principles of the constitution from a pretended regard for the morals of the country, presumed to charge her majesty with unconstitutional conduct! Even now, when the noble lord and his colleagues had been compelled to abandon the proceedings against her majesty, he talked of her technical acquittal, and her moral conviction. The argument of the noble lord on this subject was very different from that of the right hon. gentleman. The noble lord inferred from the fact of 123 peers having voted for the second reading of the bill, that a majority of the House of Lords had declared her to be guilty of adultery. Now this was a most unjust inference; for, even supposing that 123 peers had declared her to be guilty, there were nearly 400 members of the House of Lords, and therefore 123 did not constitute a majority of the House of Lords. But it was any thing but a fair argument to say that 123 peers had voted her to be guilty of adultery. The bill of Pains and Penalties contained a great many allegations, besides the charge of adulterous intercourse. One of the charges was, taking Bergami into her service—another, promoting his family—another, conferring honours upon him,—and, in fact, there were no less than eight different allegations in the preamble of the bill. The majority for the second reading of the bill amounted to 123 peers, and the minority to 95. Now it was perfectly possible that the House might have divided in that proportion upon the whole of the bill, and yet, if the sense of the House had been taken separately upon each of the allegations, there might have been a majority of six to one in her majesty's favour. One peer, for instance, might have voted for the degradation of her majesty, in consequence of her having taken Bergami into her service; another, because she had promoted his family; and yet, if a division had taken place upon these separate allegations, there might have been a majority of six to one in her favour. The same argument would apply to every other allegation, and if the subject was considered in this point of view, the unfairness of the proceedings against her was demonstrated. Had her majesty been impeached, all these allegations must have formed separate articles of impeachment, but they were all lumped together in the bill of Pains and Penalties. Her majesty had been deprived of the benefit of bringing her case before a second tribunal, and of establishing her innocence by the production of witnesses before this House. The noble lord and his colleagues had so contrived the prosecution of her majesty, that she had been exposed to every possible disadvantage, and deprived of the benefit which she would have derived from a second trial. Their case had gradually broken down; the majority of twenty-eight for the second dwindled to a majority of nine for the third reading—and then, the noble lord and his colleagues abandoned the Bill. But, did the House or the country suppose, that they abandoned it out of tender compassion, out of complaisance, or favour to her majesty? The spirit in which they had conducted the whole proceedings sufficiently explained the motives by which they were actuated. They abandoned the bill that they might still have some pretence for declaring, that her majesty had been technically acquitted, and morally convicted. They did not dare to bring the bill down to that House—they were afraid of giving her majesty an opportunity of establishing her innocence before a second tribunal. Having failed in their odious bill of Pains and Penalties, they still wished to reserve to themselves the power of inflicting the pain and penalty of an imputed moral conviction. The noble lord had said, that he was not so unmanly as to discuss the quantum of provision upon the ground of the guilt or innocence of her majesty, but was not the noble lord guilty of that unmanly conduct which he affected to disclaim, when he talked of a technical acquittal and a moral conviction? Even if her majesty had been convicted, the noble lord must have proposed some provision for her majesty, probably 10 or 15,000*l.* instead of 50,000*l.* a-year; and was not the noble lord placing her majesty precisely in the same situation, except as to the quantum of provision, as if she had been actually convicted? Her name was still excluded from the Liturgy—she had no palace to reside in—none of the dignities or honours which belonged to her station; and yet the noble lord disclaimed all unmanly conduct. He confessed, that it appeared to him extremely difficult to reconcile the conduct with the words of the noble lord. He thought he had proved to demonstration, that nothing could be more unfair than the inference of the noble lord, that the Queen had been morally convicted, because 123 peers had voted for the second reading of the bill. It was a violation of all the principles of British jurisprudence, when a party had been tried and acquitted, whether from a flaw in the indictment, from the stupidity of the prosecutors, or from whatever cause, that the benefit of a complete acquittal should be denied. In any other case it would be a libel to say, that such a party had been only technically acquitted. He had taken that opportunity, of addressing a few observations to the House on this subject; and should conclude by supporting the motion, that the House do now adjourn. They would then have an opportunity of pausing before they proceeded to discussions which were more and more calculated to produce mischief and calamity to the country. The royal family had been dragged through the dirt, and the House of Lords, he was sorry to say, had done itself but little credit in the eyes of the people, through the whole course of these fatal discussions. He saw no reason why her majesty might not be provided for out of the civil list, which had been settled upon a very ample scale. This course was unobjectionable in point of principle; and, in the present distressed state of the country, would be highly expedient. He considered this to be a question which involved the dignity of the throne and of parliament, and the security of all the constituted authorities of the realm.

Mr. *J. Browne* said, the noble lord who spoke last and the right hon. gentleman had charged his noble friend with expressing an opinion as to the guilt of her majesty. Now, he had certainly not understood his noble friend to express any opinion on the subject. His noble friend had endeavoured to keep the question of guilt or innocence as much as possible out of the view of the House. But even if his noble friend had expressed such an opinion, he saw no reason why the noble lord opposite should be offended, or why he (Mr. Browne) should not be equally offended, when the noble lord, talked of the innocence of one, against whom a bill of divorce and degradation had been read a second time, after an elaborate defence, which some thought a most triumphant, and others a most weak and inconclusive defence? And had he not a right to feel equally indignant at hearing the noble lord talk of the innocence of one who, as far as the inquiry went, had been declared guilty of nearly the highest offence known to the laws of the land? Such was the person to whom the House was now called upon to pay the same marks of respect, in point of allowance, as had been paid to our late virtuous queen Charlotte. He confessed, that a host of feelings were roused in his breast, when this contrast was unavoidably brought to his mind between one of the best and most virtuous queens consort that ever lived, and one who, to say no more, was suspected of not being quite so good. The noble lord opposite had dwelt much upon what was due to economy, and certainly this was the time for practising it. He should therefore be glad to vote for a smaller sum; for, in his opinion, as the Queen was not to have a palace, and the other appurtenances belonging to a Queen Consort, he thought the provision was greater than was necessary for her expences; and there was reason to apprehend, that the overflowings of their bounty might be diverted into very different channels from those to which it was intended to be applied.

Mr. *W. Lamb* wished the question had not been brought forward. It would be exceedingly difficult, he thought, for his majesty's ministers to justify the course of proceeding which they had pursued. They had agitated the country with the most unfortunate and the most useless question, that had ever been proposed. Entertaining these views, and entertaining likewise, peculiar ideas on the conduct of the Queen in the message which had been read, he must be indulged in offering a few words. Before the proceedings began, his most anxious wishes and utmost exertions were directed to prevent their commencement. During their progress he had been equally active and zealous to put a stop to them and quash them. He considered, that a great part of the agitation of the country had arisen from the conduct of ministers, in first forcing the consideration of the question by omitting her majesty's name in the Liturgy; and he believed the evil might have been repaired and the agitation tranquillized by a reparation of the original error. With that view and with that object he had agreed to the resolution of his noble friend (lord A. Hamilton), censuring this unadvised act and tending to rectify the error. He would still vote for any question, that had this for its object. He considered the Queen as acquitted of the charges preferred against her, and for this reason—that the proceedings were not brought to a conclusion. The public mind still continued agitated on the subject; but he did not see how the refusal to go into a committee of supply would tend to tranquillize it. He could not agree to the motion of adjournment, though the arrangement proposed for her majesty might not now be satisfactory. He was unwilling to utter one word that could reflect upon the character or conduct of her majesty; but he thought it right to state, that he was bound to respect those noble peers who heard all the evidence, and who had delivered their opinions upon it. The presumption was, that they judged rightly; and he regretted, that they had been called upon to pass any judgment at all. He regretted, that when a retreat had been offered her—a retreat into which she might have gone without any imputation on her character—a retreat on which she might have entered with the approbation and gratitude of all whose approbation and gratitude were worth having; and, in his opinion, with as much honour as she had found by pursuing a different course; he regretted, that at that time she did not retire, and give up the question of the

Liturgy. At that period he thought she would have shown a wise and patriotic spirit in complying with the wishes of parliament. He thought, that even on the termination of the proceedings, a regard to the peace and welfare of the country might have dictated the same surrender; and to-night it would have given him great satisfaction to have found her coming frankly forward and making the sacrifice. He begged leave to say, that though he did not presume to condemn, he deeply lamented and deplored the message which her majesty had sent down. He thought, that message in the highest degree injudicious, and that this House ought not, in consequence of it, to alter its course. A provision must be made, sooner or later, for her majesty; and he saw no reason for deferring it. Upon these grounds, and because this course appeared to him, under all the circumstances, to afford the best chance of calming the agitated minds of the country, he should vote for going into the committee.

Mr. *Brougham* said, the subject had been so amply and so ably discussed, and the speech of the noble lord had been so fully answered by his right hon. friend, that he would not have said a single word, but have left the House to pursue its own course, had it not been for one or two observations which had fallen from his hon. friend who had last spoken. He could not sit silent when those observations were made. But he must urge, on the part of her majesty, that she had been not only virtually acquitted, but acquitted in every sense of the word, and that a most perverse judgment on her cause had appeared in more parts of the House than one, and just now had been pronounced from a quarter where he least suspected it. He would remind his hon. friend of the purport of his remarks, and he would ask him, whether he had dealt fairly by the Queen and allowed her common justice? At the commencement and during the whole course of the proceedings against her majesty, every thing was wrong that she did, and every thing was right that was done against her. At the commencement of the trial—at the different stages, whether she claimed the rights of justice, or whether, at its conclusion she required those privileges, which its commencement had furnished grounds for denying—all met with the disapprobation of his hon. friend. When, after her acquittal, matters had assumed a new shape; when her prosecutors had abandoned their own measure; when facts and circumstances had been totally altered—when the king himself, in his speech from the throne, speaking with a voice which every body understood, with a voice that had extended to all parts of the country—had declared the proceedings for ever closed; and when this result could be attributed to one reason only—namely, that truth had been made to appear, and that she had been declared guiltless of the charges brought against her, still she was in the opinion of his hon. friend, as if she had been convicted. He would look to the word of her judges, to her prosecutors who had become her judges, to her prosecutors who held their places on the condition of finding her guilty, and he would find a verdict of her innocence. His hon. friend confessed, that ministers could do nothing in their desperate attempt against her; he agreed, he said, with her majesty and the country, that ministers had done wrong in striking her name out of the Liturgy—and therefore she should give up the point! His hon. friend denounced the proceedings as unjustifiable and tending to the disturbance of the country—and therefore the Queen ought to crouch to them and admit their justice! After her prosecutors had been obliged to abandon the proceedings against her, from their inability to substantiate them, from the total failure of the evidence upon which the charges rested, she ought, in the opinion of his hon. friend, to come forward and to confess herself guilty. His hon. friend agreed with her majesty and the country, that there was no reason of expediency, or sense of justice, in omitting her name in the Liturgy, and that the public agitation arose from that omission;—and therefore, to restore tranquillity, she, the aggrieved party, was to come forward and make an additional sacrifice, and abandon her own defence because her enemies had abandoned their attack! The reasoning of his hon. friend had been anticipated and sanctioned by the noble lord who had brought forward the distinction between a technical acquittal and a virtual conviction; and if he (Mr. B.) had at any time undervalued the question of the Liturgy—if he had thought it at first a matter of less importance than it really was—if he had even entertained a doubt upon the subject, the noble lord had convinced him of its importance, and relieved him from his doubt. On the discussion of his hon. friend, Mr. Wilberforce's motion, the noble lord had begun by treating the exclusion as a stigma; and he now supported it on a principle of law entirely new—a principle monstrous in its possible application to the characters and fortunes of men, and hideous in its consequences—that there might be a technical acquittal with a virtual conviction. How inconsistent this was with the former professions of the noble lord, he would now remind the House. When the bill of Pains and Penalties was introduced into the other House, it was said, that the members of this House were to keep their minds perfectly unprejudiced. They were told, that none of the evidence heard in the other House ought to leave a taint of suspicion on their minds; that the different readings of the bill there ought to have no effect; that even though it passed, still no damage was done; that when introduced they were to apply their minds to its consideration as if they had known it for the first time, without prejudice or bias, and decide upon it according to the evidence which should be submitted to them. "Only let it be brought," said the noble lord, "into the other House; only let the proceedings there be carried to a conclusion, only let it pass, and then we shall receive it as if nothing had happened, and decide upon it without prejudice or partiality." Now, the bill had not passed, but had been thrown out, because unsupported by evidence, and the House was called upon to assume that it had passed, that its allegations, which had been all disproved, had been proved; and that it was to bind their minds and consciences.—His hon. friend had objected to the message which he had had the honour of presenting that night, and the noble lord had charged upon it a want of respect to the House, and an attempt to dictate in its proceedings. Nothing could have more astonished him than to hear that it advanced such claims or was deficient in due respect. The message appeared to him to be perfectly unobjectionable on this head—her majesty did not interfere with the privileges of the House, or attempt to dictate its decisions. The interpretation of the language of her message was, that she understood from the votes of the House, which she was entitled to read, that provision was to be made for her that night; and she said, that under the circumstances in which she had been placed, she could not barter her honour for money; for if she did, there was an end of her character, and with her character her safety. She warned the House, therefore, in respectful language, against voting the grant; she told them, that the money to her would be useless—as, with the feelings which she entertained for the treatment which she had received, and the situation in which she was placed, the acceptance of it would be impossible. The noble lord, on the contrary, said, "Wait till the money be voted, and then refuse it." But, if she waited till then, on the same authority she would be told that it was too late—that it was disrespectful to the House to refuse their grant, and that she ought to have interfered to prevent its being voted. In the message which he had presented, there was no disrespectful expressions, no appearance of dictation, no claim of right, no assumption of authority. She only said, "You wish to make provision for me; in doing so, you mean my advantage, but allow me respectfully to decline it." She saw, that her safety was involved in the maintenance of her character. If she was to submit to become the object of calumnies out of doors—if those calumnies were to be sanctioned by the acts of ministers, and even embodied in acts of parliament, then there was no protection for her character, and the agitations of the country would continue. He might be biassed in his opinions on this subject, and his judgment, placed as he was with regard to her majesty, might have little weight with the House; but, in his conscience he would say, that he saw no other means of terminating these discussions, or of tranquillizing the country, than by doing that act of justice, which arose as a necessary consequence out of that sacred principle of law, which declared, that she who had been acquitted, ought not to be treated as one who had been pronounced guilty.

Mr. *Bright* said, that in his opinion, it was the duty of the House to proceed into the committee, and to grant that sum which should be thought proper, leaving to the Queen to receive it or not. They would thus say to the Queen, "We have made liberal provision for your majesty; we have ordered it to be paid over into the exchequer; and whether you receive it or not, there it remains at your disposal." The hon. gentleman said, that he would give no opinion upon the proceedings against the Queen; but he thought it the duty of every gentleman who had a suggestion to make, to bring it forward in order to tranquillize the country.

Mr. *Martin*, of Galway, reprobated the intemperate conduct of the hon. member for Essex, and others who had spoken in the debate. He wondered how they could keep the natural "Ruby in their cheek, while his was blanched with fear." Do gentlemen mean what they express, when they say, they will not vote the supply until her majesty's name shall be inserted in the Liturgy? These puny politicians propose in desperation, what an opposition, resting on high character and splendid talents, never, when in their highest and most "palmy state," ventured to contemplate. More—what they had the good sense, even in the height of the American war to disclaim. What! disband the army, the navy, break faith with all the public creditors, because seven or eight ministers do not advise his majesty to insert the name of the Queen in the Liturgy! It was monstrous, to suspend all the functions of the state to gratify the Queen in an idle punctilio.—It is said, her majesty is dishonoured, and subscribes to her own infamy, if she shall relinquish this demand of being prayed for. Let us examine this proposition a little in detail. The Queen's name might be inserted in the prayers of the church and yet be guilty, and excluded and yet be innocent. The Queen having no power to compel the king and council to insert her name in the Liturgy, its not being there can never supply an argument to her enemies, out of which to extract a charge of guilt. Her majesty, and her majesty's adherents, have done all in their power to effect that object, but have not been able to induce the king in council to assent to their demand. Suppose both parties committed on this point of the Liturgy—which ought to give way? He had proved, he thought, that in this instance her majesty, the Queen, could do so without even an implied supposition of guilt.—But ought the Crown to be advised by the most pusillanimous counsellors, to vary the determination advisedly come to on the subject? To induce this retraction of purpose and of conduct on the part of the Crown, ministers were denounced as guilty conspirators, attainting the honour of the Queen. They were denounced as such, and their impeachment clamorously demanded by the orators on the other side, and, for these courtesies, and in token that the Queen was as "innocent as unsunned snows," a contradictory order was to be made by his majesty, thus subscribing to his own degradation, and to the degradation of the monarchy. The Queen, though excluded from the Liturgy, had the right to protest her innocence, as is already solemnly sounded in the journals of another House—to all this, I object not. But, if ministers do insert the Queen's name in our collects, it must be to give validity and effect to those false, foul, and scandalous degrading charges which were made against them. Would those gentlemen consent to have her majesty's name inserted, with a declaration, that his majesty and his counsel believed her majesty was not absolved from the moral guilt of the misconduct imputed to her? This, no doubt, they would consider as insult; yet without such proviso, it was utterly impossible to rescind the order made in council.—He would vote for going into the committee, in order to vote a suitable provision for the Queen. Gentlemen say, if the Queen is considered guilty, why make any provision for such a woman? He answered, because she was Queen; and if the bill had passed, he would make the same provision for her majesty because she had been Queen.

The question of adjournment was then put and negatived. The House having resolved itself into a committee of supply,

Lord *Castlereagh* stated to the committee, that after the length of the previous discussion, he should feel it his duty to state what he had to propose, in as short a compass as possible. He considered the question now before the committee, as one perfectly independent of the question of the guilt or innocence of the Queen, and confined solely to the consideration of the quantum of provision suited to her rank and station in the country. He apprehended, that in this view, parliament would feel disposed to treat it as a measure, not of economy, but of liberality, befitting her majesty's rank and family. At the same time, he also apprehended, that the measure must be looked at in reference to her majesty's situation as a Queen Consort—separated for a long time from her husband—a separation so justly admitted by the hon. and learned gentleman, one of her majesty's advisers, to have been recognised by the late sovereign. Her case was therefore different from that of a queen consort living at the court with her family, administering the functions of royalty within the court of her husband. Her establishment was therefore to be considered rather of a domestic nature, for which a provision should be made suitable to her rank, birth and station. There were other circumstances which he apprehended would guide the judgment of parliament. Her majesty, by the treaty of marriage, was, in the unfortunate event of the demise of the king, entitled to a dower of 50,000*l.* per annum. It would be then befitting, that, under present circumstances, she should now receive the same amount of income, and for her life, as she would be entitled to receive by her marriage settlement as dower. In 1814 the Queen, being then princess of Wales, and separate from her husband, and there being no reasonable presumption that the separation would terminate, parliament was resolved to make that provision which she would have received standing in the situation of dowager princess of Wales: 50,000*l.* were voted, and if that grant was not for life, it was because the princess declared, she would not receive more than 35,000*l.* Nothing had occurred to alter that arrangement, and it appeared to him, that that sum was a proper allowance. When the proposition was made to her majesty at St. Omer's, it was stated, that the 50,000*l.* a year, which she was entitled to, would be continued. It was felt, that a liberal, not an extravagant allowance, ought to be made for a person of her majesty's rank and station. On those grounds, 50,000*l.* were offered at St. Omer's, which was the sum her majesty would be entitled to as queen dowager. The noble lord concluded by moving: —"That his majesty be enabled to grant the annual sum of 50,000*l.* out of the Consolidated Fund, for the separate use and establishment of her majesty the Queen during her majesty's life."

Mr. *Stuart Wortley* observed, that in what he should say respecting the conduct of her majesty, he confined himself solely to what had taken place since her majesty's arrival in this country. It was with diffidence he disagreed with the noble lord in the amount of the sum proposed for her majesty's use; but there were some circumstances in the conduct of her majesty which made him think, that so large a sum ought not to be granted. He did not view this as a question of mere economy, nor did he speak of it with reference to her majesty's guilt or innocence; but, be her guilt or innocence what it might, he thought, that the language that her majesty had been advised to use in her answers to some addresses, and particularly in her Letter to the King, had made it unsafe for her majesty to be intrusted with the management of so large a sum. It was the duty of the House to see that the money it voted was properly applied; but he defied any man of common sense to say, that the language her majesty had been advised to hold on the occasions to which he alluded was not calculated to overturn the constitution of the country. That House had before refused to sanction grants to branches of the royal family for reasons infinitely less pressing than the conduct to which he referred. And, if the larger sum should be granted to the Queen, he wished it to be recollected, that on the part of that House, it was an act of grace and favour to the Queen. Anxious as he was to put an end to the existing agitation —to see the return of quiet and peace —that there should exist no appearance of persecution against the Queen, he should for these reasons, and these reasons only, press no amendment, substituting the smaller sum. Another opportunity would present itself for the further discussion of that part of the subject; but he should have considered himself as not performing his duty to the public, if he had not pointed out such reprehensible language to the indignation of that House.

Lord *John Russell* expressed his surprise, that any person of common feelings of generosity could have brought himself to reproach her majesty, irritated as she was by so many provocations, for any language she might have been compelled to use in the progress of the severe and bitter trial to which she had been exposed. There was, however, a precedent for the conduct pursued by the hon. member for Yorkshire, and also for the language used by a worthy alderman on a recent occasion; and that precedent he found in the time of Henry 8th. In that reign, the sycophants of the court were anxious to add whatever weight belonged to them to the charges already brought against queen Catharine, and, among others she was accused, by cardinal Wolsey, of having conciliated the affections of the people; one accusation, to that effect, was actually drawn up against her by Wolsey: it was, that "Whereas she ought rather to pray to God to bring this matter to a good conclusion, she seemed not at all serious; and that she might corrupt the people's affections to the king, she showed herself much abroad, and by civilities and gracious bowing her head, which had not been her custom formerly, did study to work upon the people." And that complaint made of the conduct of queen Catharine, the cardinal followed up, by saying of the king, "that he thought his life in such danger, that he ought to withdraw himself from her company." Did any man with the lights of history before him, as to the conduct of that queen, believe, at this day, in any one of those slanders? And yet Catharine was at that time protected by the pope, and her near relative, Charles the Fifth; while her majesty was exposed to the bitter provocations she had undergone, after her gallant and illustrious father had terminated a long life, fighting against the enemies of his country, and her gallant brother had fallen gloriously at Waterloo. Had she been the queen of any other country, she must have found a friend in the sovereign of England—in the very quarter from whence her persecutors came. It was a want of generosity to bring accusations against a woman, thus unbefriended, and thus assailed, for having amidst such afflictions, sought the support of the people.

Alderman *C. Smith* deprecated the language of the answers which the Queen had returned to the addresses.

Mr. *Hume* rose to reply to the observation of the hon. member for Yorkshire, amidst cries of question! and considerable coughing. Silence being partially restored, the hon. member said, that some quotations which had been used on a recent occasion, as from the letter and answers of the Queen, were grossly inaccurate. The hon. alderman and others who had alluded to those extracts, had taken them most unfairly [Hear, hear, and continued coughing]. The hon. member said, that notwithstanding this indisposition to hear the truth, he would go on, and if hon. gentlemen were impatient, he should feel it his duty to read the whole of the answers, in order to show, that the quotations were incorrect. He admitted, that the language in some of her majesty's answers was strong, but it was possible to put an improper construction even upon the holy scriptures, by reading them partially. He maintained, that if those answers were read through they would be found to contain doctrines highly constitutional. If he saw any thing unconstitutional in the tenour of those answers, he should be as ready as any man to condemn it; but he thought it highly unfair to judge of her majesty, and to condemn her for one or two strong expressions. If the hon. member for Yorkshire, or the worthy alderman would go through those addresses with him, they would find, that their language and sentiments did not merit the epithet applied to them. More constitutional doctrine, more sound morality, more truly Christian principle, than those answers contained, he had never heard expressed; and he thought, that no man, whose feelings were in unison with the true spirit of the Christian religion, could defend that persecution to which her majesty was subjected.

Mr. *Stuart Wortley* said, he should be very sorry to misquote, but the impression on his mind was, that the answers of her majesty to many of the addresses were very nearly if not quite seditious. He should, in consequence of what had fallen from the hon. gentleman, move, when the House resumed, an address to the king, praying, that a copy of her majesty's letter might be laid before them. The House would then be able to form a judgment, whether the charge made was without foundation or not.

Mr. *Martin*, of Galway, said, he was concerned to hear the Queen's answers to her numerous addressers vindicated. Some of those answers were written, it was said, under provocation, and when much irritation existed in her majesty's mind. He granted it was to a certain degree, and up to a certain time, an excuse; but it was not after the abandonment of the bill in the Lords. What apology could be offered for the studious canvass made by the Queen for the suffrage of the army and navy, and for the abortive attempts made to cause them to mutiny? All this he charged to the traitorous advisers of her majesty. These were her supposed friends, and yet these were to be consigned to ignominious death if they failed to subvert the throne and monarchy. Was it the worthy alderman that advised the Queen to demand the pardon of an unfortunate woman convicted of selling forged notes? If these mischievous advisers wished to save the unfortunate woman, they would hardly have acted in such a manner as to publish the correspondence. He believed, in his conscience, that the object was not pardon for the culprit, but to excite disgust and clamour against the government and the Bank of England. Why was not her majesty advised to send to the jury who tried the unhappy woman, requesting a recommendation of her case from them—why was she not advised to apply to the prosecutor, verbally—and why not apply to the bench of aldermen and to the citizens of London, with whom her majesty's influence would have great weight.

Lord *Milton* rose, to entreat, that his hon. friend would forbear from carrying into effect the notice which he had given. The difference which had taken place between that hon. member and the member for Montrose was too slight to render such a measure necessary; particularly when it must be the inclination, as it certainly was the duty, of the House, to heal rather than to inflame.

Mr. *S. Wortley* concurred with his noble friend as to the propriety of adopting healing measures only, and with that view was willing to forego his intention.

Lord *Stanley* rose, merely to ask a question of the noble lord opposite. If he had correctly understood the intention of the noble lord, it was, that her majesty should be placed, putting aside every thing that had taken place, in the same situation in which the demise of the Crown would have placed her. In the event, however, of the demise of the Crown, the Queen, he apprehended, would have been entitled to a palace, or would have had some mansion assigned to her; such, at least, had been the case with the late Queen. In the proposition of the noble lord, however, there had been no grant of a palace or mansion, nor any mention of procuring one.

Lord *Castlereagh* said, that by the treaty of marriage between her majesty and the present king, then prince of Wales, her majesty became entitled, upon the demise of the Crown, to 50,000*l*. a-year, but not to any palace. The palace possessed by the late queen was not given to her by her marriage treaty, but by letters patent from the Crown.

Mr. *Holme Sumner* thought it impossible to contemplate the provision intended for her majesty previous to her marriage, as that by which the House should be regulated after what had lately passed in another place. As to the offer made to her majesty while abroad, it had been an offer, proportioned, not to the merits of the Queen, but to the desire of the government to prevent those discussions which had since taken place—discussions which must always prove injurious to royalty, and especially so at a time like the present, when there existed a party zealously active to bring not royalty alone, but rank and influence of every description, into hatred and contempt. The hon. gentleman on the other side had said, that it was unmanly, on the present occasion, to advert to the past conduct of the Queen. Strange! The House was to hear from those gentlemen of conspiracies and of bribes and of subornation of witnesses; but the facts elucidated, not by the evidence of those witnesses, but by that of the witnesses of the Queen herself—those facts the House was, in humanity, to pass over! If the Queen had shown any contrition [groans from the Opposition] he would have been the last man to say a word about her past conduct; but he would not suffer himself to be put down by clamour. To his mind, there had never been a clearer case of adulterous intercourse, or of degrading conduct in any class of life, than that which had been proved against the Queen. Gentlemen on the other side said, that her majesty stood acquitted. He thought, that she stood as one convicted, and not brought up for judgment. Still, upon the present occasion, he was willing to lay guilt out of the question; and, although he should move to reduce the grant proposed, he should take that course upon the ground of her majesty's conduct since her arrival in England. The conduct of the Queen had been one continued effort to bring into contempt every institution of the country. She had vilified the House of Lords; she had defied them, and she had said, "You may decide what you please; but I will appeal to the feelings of the people." It had been said, that her answers to the addresses presented were answers written in a moment of irritation. That might have been the case with respect to the first, second, or third; but their language became every day stronger and more seditious. The very message which had been that night received by the House, showed a spirit of determined hostility, and a resolution to keep alive the disturbed feeling of the country; that message evinced a disposition which ought to put every member of the House upon his guard, and induce him to pause before he committed such ample means to the guidance of her majesty. He was surprised, that no one had yet moved for an account of the sums advanced to the Queen since she had been in this country; indeed her majesty ought properly to have given the House some information as to the manner in which those sums had been disposed of. He had heard, not only from public rumour but from authority to which some respect was due, that the Queen had not paid a single private bill since she had been in England. There was not a tradesman paid. The House ought to know how the money had been disposed of. If it had not been paid to those who were entitled to it, perhaps it had been paid to prompt all the fine processions which had disquieted the country; or to the press, which instilled its daily poison into the ears of the whole community. Giving to the Queen all the benefit of an acquittal; he thought, 20,000*l.* a-year an ample income for a woman who had been twenty years separated from her husband; but he would go further. The hon. member then moved, as an amendment to the original motion, that an income of 30,000*l.* per year should be granted to her majesty.

Dr. *Lushington* thought it matter of regret, that the bill of Pains and Penalties had not passed from the House of Lords to an assembly where it might have been discussed with all that temper, moderation, humanity, and justice, which had so conspicuously adorned the speech of the hon. member for Surrey. That hon. member was the first man in that House who had presumed to utter—who had dared to declare—that the Queen had been proved and found guilty of adultery. The hon. member for Surrey had not followed the wise example of the noble lord opposite, who had prudently abstained from comment on the subject; but, not having been called upon to judge the cause—having heard, in all probability, the evidence but imperfectly—having, perhaps, merely read the evidence without seeing the witnesses—the honourable member came forward, uncalled, unasked, to declare her majesty, in his firm conviction, guilty. Really when he looked at the whole train of proceeding, and thought of the opinion which the hon. member had pronounced, he did think, that the Queen might have met a fairer trial from a jury of convicted felons, with a judge, not appointed for political purposes, than could be anticipated from persons who condemned her even unheard. And upon what description of proceeding was she so condemned? Upon a bill of Pains and Penalties—upon a proceeding which was not only repugnant to every constitutional principle, but which, even when given up half-way, produced almost all the bad consequences to the party attacked, which could have resulted from its being prosecuted to conclusion. The hon. member for Surrey had taken upon himself to decide rather harshly and rather hastily. Was that hon. member acquainted with all the motives by which legal advisers were likely to be influenced? Was he so clearly aware of the plan and principle upon which her majesty's defence had been conducted? Was it not possible, that the legal advisers of her majesty might have had, during the whole proceeding, an eye, in prospect, to the House of Commons? Who could say, that the fact was not so? And, when it was known, that witness after witness continued to arrive, after the defence was over, common humanity, he (Dr. Lushington) should have thought, would have dictated the more favourable conclusion.—The hon. and learned member then adverted to what had been said by Mr. Sumner as to the expenses of the Queen. Since her majesty had been in this country she had received at the rate of 35,000*l.* a-year, and not a shilling more. Large advances had been spoken of; but he would tell the House, that he, at the time of her majesty's first arrival in England, had had occasion to apply for an advance to her of 5,000*l.* and that that advance had been refused. It had been refused, though wanted for matters of absolute necessity; and her majesty had, for a time, been obliged to live on credit. Because, forsooth, some one had told the hon. member that her majesty had not paid a certain bill, all the money which she had received, had been disbursed in bribery and in disseminating seditious and treasonable publications! Another demonstration, that with the hon. gentleman, accusation was tantamount to proof, and impeachment to conviction. He begged that he might not be misunderstood; but he did maintain, that her majesty was treated harshly and cruelly when a casual expression in an answer to an address was brought in array against her, and every ambiguous word was imputed to her as a mortal sin. Nobody, during the continuance of the proceedings against her majesty, could know, so well as her legal advisers, the sufferings under which she laboured. They had been compelled to break in upon her rest at all hours of the day and night, because there was no memory except her's to which they could apply for information which was indispensably necessary for them to have before they could proceed to the cross-examination of the witnesses produced against her. Was her mind, too, he would ask, freed from all subjects likely to inflame it? or was it not inflamed by a persecution which had been carried on against her with unrelenting malice for four-and-twenty years, which had already subjected her to trials, and which was to end at last in that most odious and unconstitutional of all measures—a bill of Pains and Penalties? He knew no person whose passions were so much under their command as not to have felt some degree of irritation at such treatment; and he would say, that it was much better, that such irritation should be expressed at the moment, than pent up in the breast and brought forward at a future time for worse purposes. When hon. gentlemen viewed her situation in this light, he trusted, that not one of them would be found who could view it with any other feeling than that of sincere commiseration for her sufferings.

Mr. Alderman *Wood* trusted, that there was not a single member who would rashly give credit to the charges which the hon. member for Surrey had so boldly urged against her majesty, and all of which were destitute of foundation. He called upon that hon. member to come forward, and to mention any one bill of her majesty's that was unpaid. The hon. member had stated, that none of her majesty's bills were paid, and had insinuated, that the money which she had received to pay them had been expended in promoting the most wicked purposes. Now, if the House were to call for an account of every farthing expended by her majesty, he would undertake to say, that they would find it expended in such a manner as would give universal satisfaction. The bills of all her tradesmen were paid monthly. It was true, that such had not been the case immediately after her arrival. The expenses of her journey had made her in want of money; and her first quarter's allowance was in great part consumed in defraying them. As the hon. member was so much in the secret of her majesty's expenditure, he must know, that she had not received a farthing of her allowance for the last quarter; but, that notwithstanding, she had discharged every claim outstanding against her, by means of the assistance afforded her by a banker. If the hon. member, could state one single bill that was unpaid, it was now his duty to do so. He should not have intruded on the attention of the House, had he not thought it necessary to inform them, that there was not the smallest particle of truth in this new charge preferred against her majesty.

Mr. *H. Sumner* said, that he had spoken from general rumour, and that as the hon. alderman was not an accredited agent of her majesty, he must still continue under his former impression.

Mr. *Brougham* said, that the language used by the hon. member for Surrey was the occasion of his addressing the House again that evening. The hon. member had objected to the worthy alderman's explanation, because he was not an accredited agent of her majesty. This was the usual trick with gentlemen on the other side of the House. They talked of her majesty as if she were an independent sovereign, not as if she were only like themselves—a mere subject. They looked upon her legal advisers as responsible for her conduct. Now, he would inform them, as he had had occasion to inform them before, that her majesty was responsible for her own conduct. She had, it was true, her legal advisers; and he and his hon. colleagues, as to matters of law, were, if he might use a figure of speech, her responsible advisers. Nothing, in his opinion, could be more correct than the manner in which the worthy alderman had just come forward. As for himself, though he had been in situations where he was likely to hear of such rumours as had been adopted as facts by the hon. member for Surrey, he must say, that he had never heard of them from any thing like creditable authority, until the present evening. The worthy alderman asserted, that there was no truth in them, and he, for one, believed his assertion. As to the law expenses, of which it might be expected that he should know something, he would merely say, that they were submitted to as strict an audit as any other species of public accounts. The sums to defray them were issued by the treasury, and the person who received was deemed accountable for them. The sum already issued, to meet these expenses, was 50,000*l.* and he would say, that it would fall short to cover them. If the hon. gentleman should think, that they were too much, he could only say, that her majesty regretted, as much as he could, the absolute necessity there was for incurring them. Lord Liverpool had however, confessed, that the refusal of a specification of the witnesses and the charges to be brought against her majesty, necessarily entailed upon her greater expenses than would fall upon the opposite side.

Mr. *H. Sumner* said, that if the learned gentleman could declare, after inquiry to-morrow, that every bill had been paid off, he would readily give up his opinion, and be most happy to hear the statement. As for the worthy alderman's assurance, he could not think it more certain than the rumour which had reached him.

Mr. Alderman *Wood* said, that he did not want any credit from the hon. gentleman, but he was sure the House would believe him, when he told them, that the book was regularly shewn to him by her majesty's steward, and that every article was paid for monthly.

Lord *Nugent* said, that ever since he had the honour of a seat in the House, it had been considered as part of its courtesy, that when any gentleman stated a circumstance as a fact within his own personal knowledge, he should be free from any positive contradiction, especially on such loose grounds as those assumed by the hon. member for Surrey. He thought, that an apology was due to the worthy alderman.

Mr. *H. Sumner* stated, that if the worthy alderman had made a declaration regarding what had fallen within his own knowledge, he should have given implicit credence to him. But it appeared, that the steward had merely shown the books to him, and the books only contained an account of what was paid. The worthy alderman therefore, could not know how much remained unpaid.

Mr. *S. Wortley* expressed his regret, that the hon. member for Surrey had brought forward such charges as he had done, on no better authority than mere rumour. He had obtained all that he wished in a manifestation of the feelings of the House, and, if called upon to divide, should certainly divide in favour of the larger sum.

Mr. *Western* wished to know, why this provision should not be made out of the Civil List, instead of being made an additional burden on the people.

The *Chancellor of the Exchequer* said, that the treasury had no more power of converting the Civil List from the purposes to which it was appropriated, than they had of converting to other uses any parliamentary grant.

Mr. *Lennard* regretted, that the gentlemen who professed themselves so anxious to save the public money, had not reminded the House, that this was the first time, that a separate allowance had been asked for a Queen Consort. Till the present time, the queen had been always considered part of the royal household, and all the expenses incident to the situation of a queen consort had been paid out of the Civil List. He did not wish to curtail the Crown of any thing essential to its honour or its splendor, but he begged leave to remark, that the splendor of the Crown and the honour of the Crown were not always synonymous terms. The Crown was in possession of the revenues of the duchy of Cornwall, of the 4½ per cent duties, of the droits of Admiralty; and it would have been more consistent with those large professions of economy so often heard from ministers, if they had applied some of these sources of revenue to the support of the Queen; or at least, if they had given up the droits to the use of the public.

The original motion was then agreed to.

HOUSE OF COMMONS.

Thursday, February 1.

PETITIONS RELATIVE TO THE QUEEN.] Sir *G. Robinson*, before he presented a petition from Northampton, thought it requisite to make a few observations upon the manner in which it had been got up. The parties sent a requisition to the mayor, desiring him to call a public meeting of its inhabitants, to take into consideration the late proceedings against her majesty. The mayor refused to do so. The requisitionists in consequence issued a hand-bill calling such a meeting, and at that meeting the petition which he had to present, and which was signed by 1,660 persons, was adopted. He had presented to his majesty, at the levee, an address to a similar effect; and he wished to give publicity to that fact, as the address was not likely to see the light among those of lord Sidmouth's selection. The petitioners expressed their fears, that further persecutions were in store for her majesty, but, prayed the House to exert its influence to put a stop to them. They likewise prayed for an examination into the conduct of the Milan commission, and for the restoration of her majesty's name to the Liturgy.

Mr. *Lambton* presented a petition to the same effect from the town of Yarm. The gentleman who had put the petition into his hands had informed him, that with the exception of the postmaster and one or two individuals who lived upon the taxes, all the inhabitants of the town had concurred in the object of the petition; and he was informed, that if time had been allowed, every inhabitant of the town would have signed it, with the exceptions which he had before made.

Mr. *Beaumont*, in presenting a similar petition from the county of Northumberland, trusted, that he might be allowed to say a few words regarding it, in consequence of the peculiar circumstances under which the meeting at which it was adopted had been convened. A requisition had been presented to the High Sheriff, signed by gentlemen of very large landed property in the county, desiring him to call a public meeting. To that requisition he had given a positive refusal, without assigning any reason for so doing. The requisitionists, in consequence, called a meeting on their own authority—and at that meeting agreed to this petition. The petitioners regarded the appointment of the Milan commission, and all the proceedings adopted under it, as deeply affecting the character of the British government; and with this opinion he entirely concurred. They likewise prayed, that a suitable provision should be made for her majesty, and that her name should be reinserted in the Liturgy, conceiving her entitled to all the dignities belonging to one filling her exalted station, and not convicted of any offence by which she had forfeited them.

Sir *M. W. Ridley* assured the House of the respectability of the individuals by whom this petition was subscribed. Many of them were persons of the greatest weight both from property and character. With regard to their prayer, its object had his hearty approbation. It was, indeed, but a claim of common justice, to demand for a person acquitted, the full benefit of an acquittal; for no resolution of the House had ever been more completely fulfilled by the event, than that by which it was declared, that the late inquiry must be derogatory from the honour of the Crown, and injurious to the best interests of the empire.

Mr. *Bennet* was desirous of offering a few remarks on the petition now before the House, chiefly in relation to the conduct of the high sheriff of Northumberland in refusing to call a county meeting. He was astonished, that any person filling such an office should have ventured upon a weak or frivolous or no pretext at all, to decline assembling the county, after a requisition so signed. The property of the requisitionists, did not amount to less than 200,000*l.* per annum. It was therefore too much, that an obscure person, whose name and person were as little known as any individual residing in the lanes or alleys of London, should presume to set his opinion against the wishes of such requisionists. He new not whether the sheriff acted entirely from his own will, but there was some reason to suspect, that he had received a hint elsewhere; for a hole-and-corner address was then in a course of preparation. Although signed by many respectable persons, he could not behold with sentiments of respect the originators of these sham-loyal productions, working like moles, concealed in darkness, and only marked by the quantity of dirt which they threw up around their holes and corners. The mock-loyal address in question was brought forward under the auspices of the lord lieutenant, a copy of whose letter, sent through the county, he held in his hand. He should advert, however, to one point only which it contained, and which seemed meant as an apology for not daring to show their faces at a public meeting, and for the want of that spirit and gallantry which had been displayed by one or two individuals, who manfully avowed their dissent from the resolutions of other assemblies. The noble duke had stated in this letter, that his reason for not proposing a requisition calling for a county meeting was, his persuasion, that the sheriff would, from his impartiality, refuse to comply with it. Now, there certainly was no need of a county meeting for the purpose contemplated; but, when the noble duke went on to say, that there were no other means of convening the county, he must deny the assertion. The noble duke (of Northumberland) could hardly have read the act, to the passing of which he had, by his unfounded statements, largely contributed, or he must have known, that he, as lord-lieutenant, might have himself called the county together; and that it might also have been assembled under the authority of a certain number of magistrates. It was not probable, that he would have experienced any difficulty in finding pliant magistrates or obsequious clergymen to assist in carrying his wishes into effect. The truth was, that the mock loyalists dared not to come openly forward, from their consciousness, that if they did, they would be beaten out of the field. He held a copy of their address in his hand, and had never met with a grosser libel, or a string of more foul aspersions on respectable individuals.

Mr. *Robert Price* presented a similar petition from the borough of Leominster, in the county of Hereford. The sentiments expressed in the petition were, he believed, generally entertained in the county which he had the honour to represent. The late vote of the House, the most extraordinary to which he could have imagined it possible for a House of Commons to come, was, he believed, in direct opposition to the sentiments of nine-tenths of the whole community.

Ordered to lie on the table, and to be printed.

CIRCULAR DESPATCH TO HIS MAJESTY'S MISSIONS AT FOREIGN COURTS, RELATIVE TO THE DISCUSSIONS AT TROPPAU AND LAYBACH.] Sir *Robert Wilson*, understanding, that there was no objection to his motion, moved for a copy of the circular despatch to his majesty's missions at foreign courts, dated from the Foreign Office, 19th January, 1821. The motion was agreed to, and, on the following day, was presented to the House by lord Castlereagh. The following is a copy of the said despatch:

Circular Despatch to His Majesty's Missions at Foreign Courts.

Foreign Office Jan. 19, 1821.

SIR,—I should not have felt it necessary to have made any communication to you, in the present state of the discussions begun at Troppau and transferred to Laybach, had it not been for a circular communication which has been addressed to the courts of Austria, Prussia, and Russia, to their several missions, and which his majesty's government conceive, if not adverted to, might (however unintentionally) convey, upon the subject therein alluded to, very erroneous impressions of the past as well as of the present sentiments of the British government.

It has become, therefore, necessary to inform you, that the king has felt himself obliged to decline becoming a party to the measures in question.

These measures embrace two distinct objects:—1st. The establishment of certain general principles for the regulation of the future political conduct of the allies in the cases therein described;—2ndly. The proposed mode of dealing, under these principles, with the existing affairs of Naples.

The system of measures proposed under the former head, if to be reciprocally acted upon, would be in direct repugnance to the fundamental laws of this country. But even if this decisive objection did not exist, the British government would nevertheless regard the principles on which these measures rest, to be such as could not be safely admitted as a system of international law. They are of opinion, that their adoption would inevitably sanction, and, in the hands of less beneficent monarchs, might hereafter lead to a much more frequent and extensive interference in the internal transactions of states, than, they are persuaded, is intended by the august parties from whom they proceed, or can be reconcileable either with the general interest, or with the efficient authority and dignity of independent sovereigns. They do not regard the alliance as entitled, under existing treaties, to assume, in their character as allies, any such general powers, nor do they conceive, that such extraordinary powers could be assumed, in virtue of any fresh diplomatic transaction among the allied courts, without their either attributing to themselves a supremacy incompatible with the rights of other states, or, if to be acquired through the special accession of such states, without introducing a federative system in Europe, not only unwieldy and ineffectual to its object, but leading to many most serious inconveniences.

With respect to the particular case of Naples, the British government, at the very earliest moment, did not hesitate to express their strong disapprobation of the mode and circumstances under which that revolution was understood to have been effected; but they, at the same time, expressly declared to the several allied courts, that they should not consider themselves as either called upon, or justified, to advise an interference on the part of this country; they fully admitted, however, that other European states, and especially Austria and the Italian powers, might feel themselves differently circumstanced; and they professed, that it was not their purpose to prejudge the question as it might affect them, or to interfere with the course which such states might think fit to adopt, with a view to their own security, provided only, that they were ready to give every reasonable assurance, that their views were not directed to purposes of aggrandizement, subversive of the territorial system of Europe, as established by the late treaties.

Upon these principles the conduct of his majesty's government with regard to the Neapolitan question has been, from the first moment, uniformly regulated, and copies of the successive instructions sent to the British authorities at Naples for their guidance, have been from time to time transmitted for the information of the allied governments.

With regard to the expectation which is expressed in the circular above alluded to, of the assent of the courts of London and Paris to the more general measures proposed for their adoption, founded, as it is alleged, upon existing treaties: in justification of its own consistency and good faith, the British government, in withholding such assent, must protest against any such interpretation being put upon the treaties in question, as is therein assumed.

They have never understood these treaties to impose any such obligations; and they have, on various occasions, both in parliament and in their intercourse with the allied governments, distinctly maintained the negative of such a proposition. That they have acted with all possible explicitness upon this subject, would at once appear from reference to the deliberations at Paris, in 1815, prèvious to the conclusion of the treaty of alliance, at Aix-la-Chapelle, in 1818, and subsequently, in certain discussions which took place in the course of the last year.

After having removed the misconception to which the passage of the circular in question, if passed over in silence, might give countenance; and having stated, in general terms, without however entering into the argument, the dissent of his majesty's government from the general principle upon which the circular in question is founded, it should be clearly understood, that no government can be more prepared than the British government is, to uphold the right of any state or states to interfere where their own immediate security or essential interests are seriously endangered by the internal transactions of another state. But, as they regard the assumption of such right as only to be justified by the strongest necessity, and to be limited and regulated thereby, they cannot admit, that this right can receive a general and indiscriminate application to all revolutionary movements without reference to their immediate bearing upon some particular state or states, or be made prospectively the basis of an alliance. They regard its exercise as an exception to general principles, of the greatest value and importance, and as one that only properly grows out of the circumstances of the special case: but they at the same time consider, that exceptions of this description never can, without the utmost danger, be so far reduced to rule, as to be incorporated into the ordinary diplomacy of states, or into the institutes of the law of nations.

As it appears, that certain of the ministers of the three courts have already communicated this circular despatch to the courts to which they are accredited, I leave it to your discretion to make a corresponding communication on the part of your government, regulating your language in conformity to the principles laid down in the present despatch. You will take care, however, in making such communication, to do justice, in the name of your government, to the purity of intention, which has no doubt actuated these august courts in the adoption of the course of measures which they are pursuing. The difference of sentiment which prevails between them and the court of London on this matter, you may declare, can make no alteration whatever in the cordiality and harmony of the alliance on any other subject, or abate their common zeal in giving the most complete effect to all their existing engagements. I am, &c. (Signed) CASTLEREAGH.

BANK NOTES.] Mr. *Grenfell* begged leave to ask the chancellor of the Exchequer, when the country might expect the issue of the Bank Notes on the new plan to prevent imitation? The convictions which had taken place within the last six months for the crime of forgery, and the still increasing practice of the falsification of bank notes, made it quite necessary, that the public should be informed when they were to expect relief from so enormous an evil. He wished, therefore, to ascertain what was the precise time fixed, after so many delays, for satisfying, upon this point, the expectation of the country.

The *Chancellor of the Exchequer* said, he was aware of the great importance of adopting, as speedily as possible, some plan for diminishing the facility with which bank notes were at present forged. The House would, at the same time see, that it was equally important to avoid any premature or inefficient measure, the introduction of which could only serve to aggravate the existing evils. Although the plan was certainly not brought to a completion, he had the satisfaction to state, that considerable progress had been made—a progress, however, which did not enable him to answer the hon. gentleman's question as to the exact period when the new notes would be ready for circulation.

Mr. *Grenfell* said, he certainly did understand, that the plan had been finally settled last February, but now it appeared, that no period was fixed when they were to expect the removal of so great an evil as that which the public suffered from the extensive practice of forgery.

Mr. *Davies Gilbert* declared, that every facility and encouragement had been afforded to the most able artists; but it ought not to be forgotten, that what one artist could execute another might at least imitate. It was nevertheless hoped, that with the aid of powerful machinery and a succession of varied improvements, a great degree of success might be attained. He had never been so sanguine as to calculate on complete success; but one plan which promised to be very efficacious was now under consideration, although it had not, perhaps, reached the last stage of improvement. He concurred in thinking, that the evil of some further delay must be less than that of taking any step prematurely.

Mr. *Bennet* admitted the impossibility of obtaining from one artist, that which another could not imitate. He was willing to allow, that a note might be made more difficult to imitate than the present one, which indeed afforded peculiar facilities to the forger. But he would caution the House against entertaining the erroneous idea, that any note could be made, which it was impossible to imitate. He implored the House to remember, that as long as the present notes remained in circulation, the bank held the power of life and death in their hands.

Mr. *D. Gilbert* agreed, that it was not possible to make a bank note which should be absolutely inimitable, but trusted, that from the ingenuity of the plan now adopting, from the powerful machinery which it would require, and the other resources not within the means of ordinary forgers, it would be as difficult to imitate the notes thus manufactured, as it would be to imitate the coin of the realm, when executed in the most able style.

Mr. *Curwen* said, he had lately seen the model of a note intended for the use of a country bank, which he did not believe could be forged by any degree of art, and was of opinion, that the bank deserved much blame for not having encouraged the framer of it.

BREACH OF PRIVILEGE—COMPLAINT OF AN ADDRESS PUBLISHED IN THE LONDON GAZETTE.] Sir *John Newport* observed, that in pursuance of the notice which he had given, he had now to bring under the consideration of the House what appeared to him a manifest and flagrant breach of those privileges which had been established, not for the benefit and protection of the House alone, but for those whom they represented. Instead of complaining at once, as he should have been justified in doing in such a case, he had given notice of his intention, in order to enable the parties to offer the best explanation in their power. The attack came from a quarter where it could hardly have been anticipated—it was made by persons in a respectable station of life, and, what was more singular, had received the marked approbation of his majesty's ministers. He was induced to call the attention of the House to it, because its tendency was, to embarrass and impair that freedom of speech by which they were entitled to discuss every public question without comment or censure, unless within those walls, and which had always been deemed one of their most valuable privileges. The members of that House had a right to deliver their sentiments without any reference to the approbation or censure of other persons. He could not so well express this principle as in the emphatic words of a declaration framed in that House by very eminent men, on the 3rd of May, 1810. [Here the right hon. baronet read the declaration alluded to.] The libel in question purported to to have been laid before the Crown, and was promulgated in the London Gazette on the 2nd of January last. It was headed by these words:—"The following address was presented to his majesty, who was pleased to receive it very graciously." Now, when the House should hear of what the address consisted, it would be of opinion, he conceived, that it was impossible the address could have been so communicated and received. He was sure, that the sovereign had been too carefully instructed in the principles of the constitution, to approve of any attack upon those who had made such remarks in the discussion of a public question as were suggested to them by the exercise of their parliamentary duty. If an impropriety was committed by any hon. member, it was for the House itself, through the Chair, to animadvert upon it, and he felt confident, that this duty would never be neglected; but it did not belong to any body of men, and the present addressers were an ecclesiastical body, who would be much better employed in their professional vocations than in denouncing the conduct of persons in parliament—it did not belong to them to stigmatize and condemn the speeches made in that House, as violent, unconstitutional, and productive of disaffection. He was sure, no one would contend, that language of this kind could be addressed to them from the throne; and the question was, whether it ought to receive the royal sanction when applied in this indirect manner. It was unnecessary to trouble the House at any length upon a case which appeared to leave no room for doubt or difference of opinion; it was sufficient to say, that perfect freedom of speech was their ancient undoubted right—one which they had enjoyed uninterruptedly, and which was essential to their existence as a distinct branch of the legislature. With regard to the publication of this address, in the London Gazette, it had been stated, a few nights since, that a power of selection was exercised, and it was justified, on the ground, that his majesty's ministers could not be expected to publish, as having been graciously received, addresses which reflected upon themselves, and that no addresses ever did appear in the Gazette but such as were graciously received. But, according to this principle, they might publish reflections on all other persons, and give the sanction of the royal authority to any censure directed against their opponents. He doubted not, that the House, when the composition to which he referred should be read, would agree in the justness of the observations which he had taken the liberty to submit. The right hon. baronet then proceeded to read the address, and point out the libellous matter. The address was one to the king from the presbytery of Langholme, in the county of Dumfries, and was published in the London Gazette of the 2nd of January last; it had been voted on the 19th of December in the preceding year, and was signed "W. B. Shaw, Moderator:"

"We have witnessed, with much concern, and we strongly deprecate, the spirit of disaffection lately become so prevalent, from what we would term the violent and unconstitutional speeches of the opposition in both Houses of Parliament [hear, hear], and the infamous scurrility and misrepresentation of a licentious press.

"As teachers of religion, we deplore the infidel sentiments that are sedulously disseminated, and that have contributed, more than any other cause, to excite the feelings which have of late been but too openly manifested; for it must be evident, that when men renounce their allegiance to God, they will also betray their king and country: and would not those to whom we allude rejoice to overturn the altar, the throne, and the constitution, when they scoff at religion, insult their king, and bring such railing accusations against the men, who under an all-wise and over-ruling Providence, and supported by your majesty, have saved their country, and in whom, we will venture to say, the good sense of the nation still confides? [Hear, and laughter.]

"With every good citizen and loyal subject, we reprobate the address and petition of the Common Council of the city of London [laughter], than which a greater insult could not be offered to majesty, and which, it behoves all who wish well to their king and country publicly to condemn; nor can we refrain from reprehending severely, the insolence of certain members of the opposition upon the late prorogation of parliament [Hear, and laughter]; for if such conduct in the representatives of the people pass unnoticed, what may be expected from the people themselves?"

The right hon. baronet then handed the Gazette to the clerk, who read the above passages, which having been done, the right hon. baronet moved—"That the dutiful and loyal address of the Presbyteries of Langholme, in the county of Dumfries, which was published in the London Gazette of 2nd January last, contains passages in manifest breach of the essential privileges of this House of Parliament."

Lord *Castlereagh* said, that what the right hon. baronet had stated to the House went to the form and not to the substance of the case. He did not object to the paper generally, but to certain passages that were contained in it; because there were many parts of that address against which no complaint could possibly be made. His motion, therefore, went rather to the condemnation of particular passages, than to the disapproval of the publication entirely. He hoped, that the right hon. baronet would believe him, when he said, that he would be the last person to show any indifference to the privileges of the House—that he would be the last person to counsel the House not to maintain its privileges, whenever any act was done, with reference to them, which could not be justified, and which was brought under their consideration in the shape of libel. It was extremely difficult for any person who considered the importance of their privileges—not only to the members of that House, but to the general interests of the people—to state any excuse for an infringement of those privileges, when the subject was regularly brought forward. But it was a fit matter for consideration, whether, under all the circumstances of any particular case, it was desirable for the House to exert its undoubted authority. Let gentlemen for a moment reflect on the various libels that were at present abroad in the country. If the House took up every thing that fairly fell under the description of a libel on parliament generally, as well as on particular members of the legislature, the whole of their time would be passed in reviewing those publications, instead of doing their duty to the public. He did not urge this argument invidiously towards the right hon. baronet; because he was quite sure, that no individual would suggest or adopt a more liberal view of what was best to be done for the House and the country, on such an occasion, than the right hon. baronet. What, therefore, he meant to do was, to put it to the feelings of the right hon. baronet, whether he had not fully performed his duty to the House and the country, by calling the attention of the House to this publication, without adopting any farther proceeding. He was the more disposed to urge this on the consideration of the right hon. baronet, because, without taking away from the fair weight of his observations, it appeared to him, that the right hon. baronet had not given sufficient importance to those circumstances which might be alleged in extenuation of the offence complained of. He supposed, from what had fallen from the right hon. baronet, that he was not in the House when this subject was mentioned by a noble lord (Folkestone) on the first night of the session, at which time, a full explanation was given of the circumstances by his right hon. friend (Mr. Bathurst); who had, in the course of his speech, avowed, as a member of the government, that the secretary of state was in the habit of selecting addresses for publication in the Gazette, to the exclusion of others, which did not come within the principle by which he was guided in making the selection. If the right hon. baronet, really was present on that occasion, he must have heard his right hon. friend state, in addition to this, that the publication of the address in question occurred entirely through inadvertence. The House would, perhaps, allow him to call to their recollection, that the system of selection had been the uniform practice, not only of the present, but of all administrations. It was a practice founded on good sense and reason; because the king's Gazette ought not to be made the channel to convey insult to the throne, and abuse to the constituted authorities of the country. He would bring the present case exactly within that practice; and he would say, that no unjustifiable doctrines should have found their way into the Gazette. But, if that address were unfit to appear in the Gazette, surely it was, *à fortiori*, more unfit, that that publication should be made the vehicle for disseminating insults of a more flagrant nature, contained in addresses, petitions, and other documents, which were very liberally circulated at the present moment. When his right hon. friend, on a former evening, stated what was the practice at the Secretary of state's office, he, at the same time, expressed the regret of the secretary of the home department that the document complained of should have found its way into the king's Gazette. So far was the occurrence from being justified or sanctioned by the ministers of the Crown, that they extremely regretted its publication; and if they had exercised the power of selection, so far from causing it to be inserted, they would have considered it as coming under one of those descriptions of address which ought not to be published. The right hon. baronet, when he quoted the observation of his right hon. friend with respect to the selection of addresses, forgot to add, that his right hon. friend also stated, that though this address came from very respectable persons, it was not sanctioned by government, who, on the contrary, protested against some of the sentiments contained in it. Though it was in fact published when sent up by this respectable presbytery to the noble lord, and laid at the foot of the throne, still the circumstance of its publication could only be considered as a matter of inadvertence. Had it not been so published, it would never have attracted any notice, or called forth any particular expression of feeling. In short, it never would have been mentioned. And this being the true state of the case—it appearing, that the publication was the effect of inadvertence—the right hon. baronet would perhaps feel, that having called the attention of the House to the subject, enough had been done. It would have been a different thing if it were found not to have been an inadvertent act; but since all intention to sanction the objectionable parts of the address was disavowed, the right hon. baronet might perhaps be inclined to think, that, considering the different circumstances, it was not a case in which the privileges of the House called for any farther proceeding. He would submit to the right hon. baronet, whether he did not now seem to be taking up rather a narrower line, with respect to freedom of discussion in the country, than ought to be adopted. Though it was the last species of warfare in which he should wish to be engaged, yet it would, he thought, be most unjust if one side of the House was to be excluded from the attacks of calumny, while individuals on the other side—however patient in their nature—were to lie quietly on their backs, and bear every species of contumely without complaining. But though, perhaps, it would be convenient to gentlemen on his side of the House, and to himself individually—who no longer ago than the night before last was mentioned by name in a petition laid on their table—if matters of this kind were attended to (and he knew if he pursued such a course he should pursue it under a very high sanction, since it was approved of by the right hon. baronet), still he did not think, that it would do either side of the House any good in the eyes of their constituents, if they took up this question, and said, that the speeches and the public conduct of members of parliament should not be animadverted on out of doors, if the observations made use of exceeded the bounds of fair and temperate discussion. The mere circumstance of their conniving at the publication of their debates—a practice which was contrary to their standing orders, but which, if not a part of the constitution, was almost essential to it—rendered it impossible to prevent free animadversion. When their debates were sent out all over the country, could it be expected, that observations would not be made as to what the character of parliament collectively was, as well as with reference to the conduct of any particular members of that body? They could not expect, that their proceedings would always be spoken of in terms of approbation, and never in those of disapprobation. It would be a little too much if the gentlemen of the opposition were to propose, that they should be recognised as that sacred body in the constitution who could not by possibility be assailed with reproach—who were not open to any possible suspicion or imputation of not acting on all occasions for the general benefit of the country. The right hon. baronet undoubtedly found in this address very strong observations on the conduct of the opposition; but he could not avoid saying, that the right hon. baronet did not read the address in a fair manner, He treated it as if all the evils of the present day were ascribed to the conduct of the opposition. But the fact was, the inflamed state of the public mind was attributed to three causes—whether well or ill founded he would not stop to inquire. They were, first, the speeches of opposition; secondly, blasphemous and seditious publications; and lastly, the petition that emanated from the Common Council of the city of London. If they were to call the learned body who sanctioned the address to the bar, he did not conceive, that it would produce any good practical result. And here he must observe, that it was too much for the right hon. baronet to say, because those individuals were pastors, that therefore they should lay down all public functions, and abstain from offering any opinion on what was passing, with respect to the peace and tranquillity of the country; and more especially on the prevalence of infidelity. If the right hon. baronet laid it down as a principle of the House, that all publications of this nature ought to be brought under their consideration, he (Lord C.) would not have far to go, in order to produce, to-morrow, to the right hon. baronet, two or three specimens of addresses, in which he himself, the minister of the Crown, and those members of parliament who supported them, were charged with motives the most base, corruption the most notorious, the greatest abandonment of their public duty, and the most flagrant crimes against the interests of the country. He should only offer what he conceived to be a very fair *contre-projet* to the motion of the right hon. baronet, when he brought forward, in answer to his charge, a series of libels against the whole body of the administration. If there were to be in the House—one protected set of men, it was not unreasonable, he hoped, for him and his friends to aspire to an equal degree of protection. He thought, however, the best way would be to drop the business. The intention of sanctioning some of the expressions contained in the address having been publicly and promptly disavowed—so much unfeigned regret having been expressed at its having appeared in the Gazette—and as, in the course of many years, this was the first instance in which any thing objectionable had appeared in that publication—these circumstances would, perhaps, induce the right hon. baronet not to press his motion. His right hon. friend did not come tardily forward, but gave the necessary disavowal on the very first day of the session. The right hon. baronet had brought the subject very properly before the House; but, having done so, he would perhaps feel, that he would best perform his duty by letting the question rest, as no attempt had been made to justify the publication.

Mr. *Scarlett* said, he would not have troubled the House with any observations on this occasion, if it had not been for what had fallen from the noble lord. He had very ingenuously put forward as the offender in this case, the unhappy Moderator who signed the address. That individual might be a very respectable person; and if it had been with him, that the selection of the address for publication had rested, the subject would, perhaps, have been unworthy of being brought before the House; but what gave a sting to this address was, that it found its way into the Gazette, a publication, under the immediate sanction of administration, and was stated to have been most graciously received by the Crown. One of the most important parts of the constitution of the House of Commons was, that the influence of his majesty's name, or the knowledge of his opinion, should have no effect in guiding their decisions; and for any man to state to his majesty any part of the debates of that House, and much more to characterize them, was highly unconstitutional. If there could be a greater breach of privilege than this, it was, that a minister of the Crown publicly stated the address so characterizing the debates to have been most graciously received. The noble lord (Sidmouth) had desired an apology to be made for the occurrence; he had caused it to be stated, that he was sorry it had taken place. If this sort of apology were to justify the House in passing over a breach of privilege of this nature, he knew not why they should not pass over any other breach of privilege, provided an apology was tendered. He admitted the good sense of some of the noble lord's observations. He agreed with him when he said, that they ought not to watch over their privileges with so much severity as to prevent the people from animadverting on the proceedings of the House; because, between the members of that House and those whom they represented, there should be a free communication of sentiment, and the press was the best medium for keeping up that communication. In this instance, the act complained of was not committed by any portion of their constituents, but by a minister of the Crown, and therefore it was the more important that it should not be passed over in silence. They all knew, that many instances had occurred of late years where the House visited, perhaps with too much severity, animadversions on their proceedings which assumed a popular character; and he conceived it was not acting equitably to refrain from exercising the authority which was vested in them against the Crown, and on all occasions to enforce it against the people. If it were an attack on an individual member, it would be well for him to exercise a sound discretion, before he determined to submit a complaint to the House; but it was no such thing. It was a general attack on those who were designated as an "Opposition." Did his majesty know of an opposition in that House? Did ministers state to his majesty, that there were a body of men in parliament who made "violent and unconstitutional speeches?" If that were known—if the fact could be brought forward, and satisfactorily proved, it would be matter of impeachment rather than breach of privilege. He did not think the matter could be thus passed over. The apology would be soon forgotten, but the address would still remain on the pages of the Gazette. If the noble lord would point out some means by which the apology could be placed on the Journals of the House, he would be satisfied: but he could not suffer the business to drop, as the noble lord had suggested. They were placed in this situation—an attack had been made in the Gazette on the speeches of members of that House, and all the satisfaction they received was, a declaration, that ministers were sorry for it. But they might do the same thing to-morrow, if some efficient step were not resorted to, and again make the same declaration of regret. Were they to abandon the matter altogether, because a minister offered an apology, and acknowledged, that the proceeding was wrong? He hoped, it would not be thought, that he meant to press the business invidiously against any individual. If the motion would have the effect of bringing this gentleman up to town from Scotland, he should be sorry for it; because he appeared to him to be a very ignorant man. Certainly he knew very little of what passed in that House. The sting was not in the paper which the reverend gentleman had signed, but in the use that had been made of it, and the sanction it appeared to have received from his majesty's government. Under these circumstances, he submitted, that the right hon. baronet could not withdraw his proposition, unless some means were devised to express the sense of the House on the subject.

Mr. *Bathurst* said, that the publication of the address arose entirely from inadvertence, and as soon as possible an apology was made for inserting it in the Gazette. The right hon. baronet should, in justice, have quoted the latter part of his (Mr. B's) speech on the first night of the session. He then stated, that the address appeared merely through inadvertence, and without the sanction of his majesty's ministers On the ground of the circumstance having been occasioned by inadvertence, and on that ground alone, he conceived the House ought to pass it over.

Sir *J. Newport* assured the right hon. gentleman, that the noise which prevailed on the night he alluded to, was so great as to prevent him from hearing the whole of his explanation. Perhaps an entry to the following effect would meet the wishes of his learned friend:—After stating the paper to contain a breach of privilege, it might be added, "And it having been stated to the House, on the part of the secretary of state for the home department, that the paper was considered by him to be reprehensible, and that it got into the Gazette by mistake, it does not appear, that the House proceeded further, except to place this disavowal on their journals."

Lord *Castlereagh* suggested, that the debate should be adjourned till to-morrow, in order to give the right hon. baronet an opportunity to adopt a proper form of words.

Mr. *Gordon* observed, that it ought to be recollected, that the insertion of the address in the Gazette was not the only mischief. It had thence been copied into the country papers, so that the people at large were induced to believe, that the sentiments which it contained, had been graciously received by his majesty. He was the last man to think of visiting, with severe punishment, any carsasms such as those in question; but, when the gentlemen opposite seemed disposed to exercise, to their extent, all the privileges of the Crown, it was necessary to provide an adequate counteraction by the firm maintenance of the privileges of that House.

The debate was then adjourned to-morrow.

REVENUE ACCOUNTS.] Mr. *Maberly* rose, in consequence of the notice he had given, to move for certain papers relative to the Revenue. The subject which he was about to bring under the consideration of the House, was one of primary importance;—it was a subject closely interwoven with the prosperity of the country; and by a due attention to which, they could alone hope to alleviate the distresses of the people. The papers he meant to move for were seven. He should call for the production, not only of the amount of revenues for the current but the past year, and also for an account of the management of the public expenditure and a variety of other papers connected with the financial state of the country. To the amount of the expenses of collecting the revenue he should particularly call the attention of the House. The expenditure was enormous beyond all calculation. In the year 1792, the expenditure was 7,800,000*l.* including the amount of collecting the revenue. What was the expenditure now? It was, including the amount of collecting the revenue, for the army, navy, ordnance and miscellaneous services, no less than 26,000,000*l.* making a difference in the expenditure of the government between the year 1792 and the present time of somewhere about 18 millions, and that occurring within twenty years. It was time now, in the sixth or seventh year of peace, to anticipate something like a permanent arrangement of the public expenditure, and, above all, an improved system of finance. This, indeed, had been promised. Instead of which, what had been the course pursued respecting the Sinking Fund? Instead of being preserved and applied for the reduction of the debt it had been used for the resources of the current year; and in this state, instead of bearing in the amount any affinity to its nominal value of 17,000,000*l.* the real *bonâ fide* value of the existing Sinking Fund was only 2,000,000*l.* and that was the sole amount in reality applicable to meet a debt of nearly 900 millions. This amount of debt was frightful, and showed a yearly increase of about twenty millions, since the period to which he had at first adverted—two millions being the only real fund available to the reduction of this enormous debt. It was during a time of peace, that the country should be called upon to look at this state of things; for, under such circumstances, to contemplate a state of war was most appalling. No time ought to be lost in endeavouring to place the finances of the country upon as solid a basis as the nature of the case admitted. There were, of course, great difficulties in reducing to a clear and intelligible system such complicated matters; but investigation was now imperatively necessary. It was his intention, upon a future day, to bring under the consideration of the House the state of the Sinking Fund, for the purpose of reducing its system and management to a simpler and clearer detail than that which it admitted at present. He meant to strip it of all its nominal and shadowy character, and to place it at once before the public in the only way in which it ought to stand—namely, in the actual and fair real amount which alone it possessed. A Sinking Fund, when properly understood, could only consist of the excess of revenue over and above the whole excess of the public expenditure. It was quite a delusion for the right hon. gentleman opposite to pretend to the public that they had a Sinking Fund amounting to the nominal value of 17,000,000*l.* and then to bolster up this disingenuous device by borrowing 12 millions out of this nominal fund of 17,000,000*l.* and to keep up, by Exchequer Bills, the operation of this delusion. Nothing could be worse policy than to persevere in such a course, instead of at once laying before the country the real sum upon which it had to depend for the reduction of the national debt. From his majesty's late speech, it did not distinctly appear, what would be the reduction of the general expenditure for the year. The only reduction hinted at was in the military expenditure. But, with respect to that expenditure, he must complain retrospectively of the course which had been taken by the right hon. gentleman opposite. Two years ago, when that right hon. gentleman anticipated the amount which would be required for the army, navy, and ordnance, he estimated it at 17,000,000*l.* instead of which it ultimately proved to be 19,000,000*l.*—that was, an excess of 2,000,000*l.* over and above the right hon. gentleman's promise to the country. This was a bad mode of estimating the public expenditure—it went to destroy public confidence, and to make the people come forward, not for any reduction of the public expenditure, for that they saw was little attended to, but for a direct reduction of taxation. In the latter alone could they, under such circumstances, repose any hope of redress of grievances. To leave out this alternative to the people was the worst policy which the right hon. gentleman could pursue in the present state of the finances of the country. The agriculturist must at once see in what consisted a portion of his present distress: looking at the price of grain in 1790, it was nearly the same as at present; but the large increase of direct and indirect taxation bore directly upon the farmer; and connected with the larger increase since 1790 of the price of labour, the poor-rates, &c. furnished him with a clue to the causes of his present distressed state. For the purpose of bringing the subject of taxation before the House, he meant to move for an account of the duties upon Houses and windows, in order, after ascertaining the amount, to move (if it should appear to him expedient) for a reduction of these taxes. The country could not possibly go on without retrenchment, and the report of the committee of Finance ought to be adopted and acted upon systematically. He thought, that by adhering to the terms of that report, a saving of 2,000,000*l.* might be effected for the year 1821. There was another subject to which he thought it very material to call the attention of the House; namely, the expense of collecting the revenue. Would it be believed, that this alone amounted to the enormous sum of between four and five millions, and showed a rate of per centage upon the collection, of no less than 8*l.* 1*s.* 9*d.* upon the aggregate of the whole? In Ireland it was still worse—it was monstrous: for on the four millions of revenue collected in that country, the expense of collection amounted to 21 per cent. The aggregate amount of collection upon the whole revenue was, he repeated, above 8*l.* out of every 100*l.* for the pocket of the collector, and out of that of the public. He was firmly persuaded, that by a more economical system, a saving of one million might be effected in the collection of the miscellaneous and other services—to this, add the saving of two millions which he had already noticed, and both together would amount to 3,000,000*l.* in the ensuing year. Unless this recommendation was attended to, he knew not what the country had to expect from his majesty's government. It was to elicit an explanation from the right hon. gentleman opposite, that he now meant to move for certain papers. He called for them at this early period of the session, and before the supplies were moved, to enable the House to judge of the financial state of the country, at a time when they might, if they pleased, withhold the supplies, unless the explanations were satisfactory. There was also the further advantage in calling for the papers now, of having them in time for a full understanding upon the subject, before the business part of the session passed away. He concluded, by moving, for "an account of the deficiency of the Consolidated Fund on the 5th January, 1821, together with an account of the manner in which the same was made good."

The *Chancellor of the Exchequer* said, that he saw no objection to the production of the accounts moved for by the hon. gentleman or to the inquiries which he seemed disposed to connect with these documents. As there would be other opportunities of considering this subject, it was unnecessary for him now to anticipate discussion, by entering into any explanation in detail; he should therefore reserve his observations until the accounts were regularly before the House. He might however, take the present opportunity of announcing, that the whole expenditure for the supplies of the present year would be met by the revenue without any new loan. The country, he thought, had arrived at a period, when it might bid adieu either to loans or new taxes for many years. In the way in which he contemplated the financial state of the country, he could by no means concur in the discouraging prospect held out by the hon. gentleman. On the contrary, he had the strongest reasons to expect the country would annually have the benefit of a surplus of revenue going to a diminution of the national debt. This was among the improving views which he took of the state of the country. With respect to the Sinking Fund, he could not consider it as placed in the dilapidated state which had been described by the hon. gentleman; for he fully believed, that the result of the present year would show the Sinking Fund bearing away as large a proportion of the debt as it did in 1792. He wished to take that opportunity of explaining one circumstance upon which a mistake appeared in some quarters to prevail: it related to the state of the trade of the country. It appeared, from the accounts laid before parliament, that trade became depressed towards the close of the former year, and that consequently the revenue became diminished. But it might be consolatory to the House to know, that the present actual state of trade developed a considerable improvement. The account of the exports had only at present been made up for the three great ports, viz—London, Liverpool, and Hull. The exports of British and Irish produce from these ports, for the half-year ending on the 5th Jan. 1821, exceeded the corresponding half-year of the preceding year by 3 millions and a-half. The exports for the one year amounted, within that time, to about 13 millions and three quarters, and in the other to about 16 millions and a-half—making, on the whole, the increase 3 millions and a-half which he had mentioned.

Sir *John Newport* said, he was in hopes, that the right hon. gentleman would have noticed some prospect of improving the net produce of the revenue, by a considerable diminution in the enormous expense of collecting it, upon which, most properly, great stress had been laid. He lamented the price of collection in Ireland, in particular, where the enormous increase of taxation, instead of being attended by a comparative reduction in the rate of collection, was accompained by more than a twofold augmentation of that rate, contrary to every principle of reason and justice. In 1807, the expense of collection was about 11 per cent in Ireland—it was now 25 per cent. He was extremely gratified, that the House were likely to have the financial accounts on the table early enough in the session to take such steps as should be deemed necessary, upon the fullest information of which the subject was susceptible. When on former occasions information was asked upon the subject of the details of the revenue, it was said, that the particulars would be found in the annual returns; but then, these were printed so late, that no steps could be founded upon them during the session. Now, fortunately for the public, a different course was about to prevail. On the subject of the Sinking Fund, he entirely agreed with the hon. gentleman, that it should be reduced to a clear, simple, and compendious form—that it should be stripped of all its mystery, so as that the people could at one view comprehend what sum was actually available for the reduction of the debt. The only real sinking fund must, as had been said, consist in the excess of the revenue over the expenditure. This ought at once to be made apparent, instead of propping up a delusive system of nominal amount, with the farce of borrowing and lending conducted by the same hands. It was high time, that the financial state of the country should be rendered intelligible, and that the public should see, that instead of advancing, they were moving in a retrograde order. As to the boasted increase of trade being conclusively deduced from the exports, he must say he differed from the right hon. gentleman. Indeed, he always received the accounts of these exports with distrust; for over and over again he had seen these exports attended with ruin to the parties who made them, instead of being eventually beneficial to the public. Exports had been often made to every quarter of the world, and the goods then sold at half their original cost.

Mr. *Grenfell* considered the House and the country much indebted to his hon. friend, for moving for the production of these papers at so early a period of the session.—He was happy to hear the right hon. gentleman say, that he should not require any more loans. The right hon. gentleman did not say, whether or not it was likely he would fund any Exchequer Bills this year. Both his hon. friends had alluded to a subject to which he had repeatedly called the attention of the House, namely, the abolition of that part of the machinery of the Sinking Fund which was altogether delusive; and which contributed to make financial questions, though plain enough in themselves, obscure and unintelligible. He assumed, that the nominal Sinking Fund was 17,000,000*l.* He also conceded to the right hon. gentleman (although it was much beyond the reality), that the real Sinking Fund—namely, the excess of the revenue over the expenditure—was 5,000,000*l.* Now why not get rid of the 12,000,000*l.* of nominal Sinking Fund altogether? Instead of that, what did the right hon. gentleman do? If this year he should follow the precedent of the last, there would be the parade of an act of parliament to authorise the commissioners to borrow of themselves 12,000,000*l.* The commissioners were the only parties in the transaction. They were to borrow, and they were to invest in the funds. It would be extremely satisfactory if the right hon. gentleman would signify his intention, either in this or in some ensuing year, to get rid of this delusive part of the Sinking Fund. Another important consideration was, the deficiency of the Consolidated Fund, amounting to no less than 8,800,000*l.* He knew very well, that the right hon. gentleman, was able to borrow this money at 3 per cent from the Bank. He entertained no kind of animosity whatever towards the Bank; but was it fitting, that the government of this country should be placed in such a situation as to be unable to pay the interest due to the public creditor without having recourse to the Bank for aid? The right hon. gentleman might easily relieve himself by a small loan, or a funding of Exchequer Bills. The right hon. gentleman had formerly predicted, that in a short period the deficiency in the Consolidated Fund would correct itself. How had that expectation been realised? The present deficiency was greater than that of the preceding quarter, and than that of the corresponding quarter of last year. At the corresponding quarter of the last year the amount was 8,500,000*l.*; now it was 8,800,000*l.* He wished especially to ask the right hon. gentleman whether he meant to get rid of the nominal Sinking

Fund, and of his state of dependance on the Bank of England?

The *Chancellor of the Exchequer* expressed his desire rather to wait for regular opportunities to discuss these important subjects, than to enter upon a premature and imperfect exposition of them in the shape of answering questions. He would, however, reply shortly to one or two points. With respect to the increase of expense in the collection of the Irish revenue, it was apparent and not real. It arose simply from the practice of bringing the whole forward as a charge on the public, instead of, as heretofore, laying it on the fees of merchants. Now, to the principal question put to him by the hon. gentleman, he had distinctly to state, that the public debt would not be increased by any means or in any way whatever this year. No stock whatever would be created, and what was outstanding at present, was, he affirmed, no more than was consistent with the public conveniency and service. The subject of the Sinking Fund had been often discussed; and he continued to be of the same opinion he had ever been upon it. He held, that it was far wiser to persevere in the present system which was well and practically understood, than to unsettle, under the name of simplification, the whole method with which public accountants were conversant. When the time came, that the Sinking Fund rose above what might be considered a sufficient sum for the gradual reduction of the national debt, then it might be desirable to adopt, with the surplus, the simplification now contended for; but, till that period arrived, he preferred going on in a known way; for so long as our revenue was fluctuating, which from its nature it must always be, there must, under whatever form it appeared, be an annual excess or diminution, liable to all the objections urged against the present system, at whatever sum the Sinking Fund was fixed. As to the deficiency in the Consolidated Fund, he still entertained the hope he had expressed, that it might be got over by the progress of the revenue. At all events, he could not be persuaded by the hon. gentleman (Mr. Grenfell), that it would be wiser to leave the public money in the hands of the Bank for its advantage, than to borrow from that body at a low rate of interest, while government received a larger interest for its own fund. The saving to the country in this respect was very considerable, and the public good was eminently consulted by the system.

Mr. *Maberly* said, he was perfectly aware, that during the last quarter of the year 1819, 500,000*l.* of the new taxes had come in; but still he contended, that there was a falling off of a million in the whole accounts of the year; so that the revenue of the present year showed a deficiency of one million in comparison with the preceding year. Respecting the Sinking Fund, he felt confident, that the right hon. gentleman, so far from having an augmented real Sinking Fund in the current year, would find a deficiency as compared with the amount in the past, and also an arrear of interest upon the loan of 1820. One year he was charging his arrear upon the Consolidated Fund, and in another upon the Sinking Fund, without coming at once to the adoption of a steady, permanent system. Unless the revenue greatly improved in the current year, instead of a real fund of 2,000,000*l.* next year he feared there would be only a fund of 1,000,000*l.* In the present distressed state of all classes, he could not harbour the same confident expectations as the right hon. gentleman did. Instead of looking for an increase, he should be very glad if the year passed away without a deficiency. As to the mode of transacting business with the Bank; he was ready to admit, that some of the arrangements were beneficial, but, he could not think it creditable to break in upon the quarters in the manner in which they were at present, by the mode of keeping the accounts and providing for the extraordinaries. In the year 1818, there was, on the 5th January, a deficiency of 2,386,000*l.* in the Consolidated Fund for that year. The next year showed an increase in that fund of 220,000*l.* but then the year that followed disclosed a deficiency of 2,300,000*l.* and at the present settlement of the year's accounts there was a deficiency of 429,000*l.* The plain fact was, that there only existed a Sinking Fund of 2,000,000*l.* to liquidate a funded debt of 800,000,000*l.* and an unfunded debt of an additional 100,000,000*l.* This was not a state of things to be looked at without alarm; the whole available Sinking Fund would not, if a war unfortunately met the country in the present state of its finances, supply the expenditure of six months.

Mr. *Baring* could not imagine any

good ground for persevering in the present system of the Sinking Fund. In substance it had been abandoned for years, and yet the right hon. gentleman persisted in adhering to all the forms. These, in his opinion, served only to render the accounts unintelligible, and they ought therefore to be given up, and the real state of the country in regard to its revenue and finance be allowed to appear. On the subject of the arrangements with the Bank, however, he coincided with the Chancellor of the Exchequer. It was the most economical course that could be pursued; and produced a large saving to the public. The present state of our public accounts was so complicated, that even those gentlemen who were most conversant with the subject, declared themselves incapable of understanding them. As to the state of the revenue, he had felt an agreeable disappointment, if he might be allowed such an expression, at hearing the statements of the Chancellor of the Exchequer, and he trusted, the right hon. gentleman would not on any future occasion feel himself obliged to retract them.

The *Chancellor of the Exchequer* wished to state the grounds upon which he had expressed a confident expectation of improvement in the revenue. During the latter half of the last year the revenue had improved above any half-year which he ever remembered; and consequently, as the last half-year was so productive, there was every reason to believe, that the revenue would continue to improve. With respect to what had fallen from the hon. gentleman, on the propriety of a simplification of the public accounts, that might certainly be in some degree to be wished; but the House ought also to be aware of the great evils that must ensue from an alteration in all the old forms. Such a measure would render them perplexed and unintelligible, and the whole for a century past must be new-modelled, to enable them to draw a comparison between any past year and that in which they were. He preferred going on in the way which use and experience had rendered clear and applicable to the general service.

Mr. *Philips* inquired, whether the national business was to be impeded, because the Chancellor of the Exchequer had got a complicated system of accounts? For his own part, he knew many persons who were fully competent to understand any system of accounts, and yet those persons had been obliged to confess, that the accounts of the Chancellor of the Exchequer were beyond their comprehension. He saw no reason why the accounts of the nation should not be kept in as simple a manner as the accounts of a private merchant. It was as easy to arrange the accounts of millions as of simple pounds.

The motion for the several accounts was then agreed to.

PROVISION FOR THE QUEEN.] The report of the committee on the Provision for the Queen was brought up. On the motion, that the resolution be agreed to,

Mr. *Holme Sumner* said, that in pursuance of what had fallen from him last night, he should now propose, that the sum of 30,000*l*. be inserted in the resolution instead of 50,000*l*. He should not go into any line of argument upon the subject; but, in the first instance, with regard to the admonition he had received last night, from an hon. member, he could only say, that he always rose to speak under the impression of feelings not easily controlled, and he sometimes was hastily led by them into the use of expressions not altogether consistent with his more deliberate sentiments. Upon another point, regarding which his conduct had been also arraigned, he was not at all disposed to make similar concession. The hon. and learned gentleman had appeared to think, that he was either wholly ignorant of the principles of British justice, or knowingly acted in direct opposition to them; and he had maintained, that a man who had not witnessed the grimaces of every witness upon the late inquiry was incompetent to form any judgment as to the guilt or innocence of the Queen. He (Mr. Sumner), on the contrary, was prepared to say, that an individual who had been present during that portion of the trial where lieut. Hownam gave his evidence, coupling it with an acquaintance by reading with what had gone before and came after it, was as competent to form a judgment, as far as related to that individual's evidence as if he had been personally present during the whole trial. However his mind might have been impressed with the remainder of the testimony, he was ready to put all else out of the question, and to rely upon the statement of lieut. Hownam only. After that, nothing on earth could alter his conviction as to the guilt of her majesty, and which conviction he had pronounced last night. In arriving at this plain conclusion, he could not conceive, that he was acting in opposition to the principles of British justice. He had said last night, and he now repeated it, that after the disposition her majesty had shown—after the agitation and dissension that had arisen from her conduct—he did not think it safe to put so large a sum as 50,000*l.* a year at her disposal. If he could have reduced it lower than the amount mentioned in his amendment, it would have been the more gratifying to his feelings; but in proposing the alteration, he thought he was only discharging his duty, and even if he were not supported by ten members in the House, he would persevere in it. He concluded by moving the omission of 50,000*l.* and the insertion of 30,000*l.* instead thereof.

Mr. *Brougham* said, that the House would immediately perceive, that he did not rise to oppose the amendment. Whether the sum were 50,000*l.* 30,000*l.* 20,000*l.* 10,000*l.* or nothing, was to him, acting as one of the counsel for her majesty, not of the slightest consequence. The Queen utterly refused all sums: she would take no money as she was at present circumstanced, and he had therefore nothing to do with the present grant. Whatever vote the House might come to in its bountiful liberality, regarding a provision for the Queen, was to her majesty and her legal advisers absolutely nugatory. With respect to the preliminary observations of the hon. gentleman, he could only reply, that no man was bound to allow a greater latitude of indulgence than himself: the state of the hon. member's feelings last night had led him into the use of expressions for which he had now shown his regret, and the impression they had produced on him (Mr. B.) should last not one moment longer. If, however, his appeal to the hon. member as to the rest of his speech should fail, he put it to the House, whether it was fit or just that the hon. member should go on, night after night, stating his conviction of guilt on detached parts of the evidence in the Queen's case, when the whole of that evidence had failed of producing any effect but an acquittal in another place? He was therefore induced to say, that if any further allusions of the same kind were made—if he heard members, one after another, get up on the other side of the House and singling out particular parts of the testimony, declare their opinion as to the whole, it would be impossible, that the matter should rest there. Either the Queen was guilty or not guilty—either she had been acquitted, or she had not been acquitted. If she had been acquitted no man had a right to renew these bold but unfounded assertions of crime: if she had not been acquitted, in God's name, let her new accusers come forward at once. Let them manfully stand forth and produce their re-digested case. The Queen asked for justice—she had a right to demand it—and she required no more. If the country had not already seen enough of these disgraceful proceedings, let them come forward with fresh charges against her.

Sir *T. Lethbridge* said, that he did not often trouble the House, but upon this occasion, which was no common one, when a large sum of money was to be voted for the use of the Queen, representing, as he did, a large and respectable portion of the community, he could not refrain from offering his sentiments. Although the question of guilt had not been tried in that House, it had been decided elsewhere; and he had a right to express his opinion regarding the testimony received in another place. He knew, that it was not regular to refer more minutely to what had already passed, but he could put his hand upon his heart and say, as a representative of the British people, that from the evidence taken elsewhere, and from the whole complexion of the case, he was satisfied that the Queen was guilty of the charges brought against her. Neither the taunts of power within, nor the clamour of the people without doors, should deter him from so asserting. He would apologize if he felt he was proceeding one step beyond the line of moderation. On a question of this kind, where the feelings of the country were agitated from one end of the kingdom to the other, he could not help participating in those feelings. As a representative of the people, when a large sum was proposed to be voted to the Queen, he had a right to oppose it and to support a reduction of the grant. He was in favour of a smaller sum; because he did not like the mode in which the public money already placed in the hands of the Queen had been disposed of, and he knew not what the consequences might be of putting so large a grant in the power of such an individual. He had been told, that an individual (and he did not know why he should be afraid to name him), that the courier Bergami had been living in the capital of France in a manner better suiting the dignity of one of our first British noblemen than a character of his ignoble description. He wished to know whence Bergami's revenues came to support this style of magnificence, and whence they were to come in future? Were they to come from the House of Commons of Great Britain? Would gentlemen consent to vote money to be conveyed to such hands as those? As long as he had the honour of a seat—as long as those who sent him to that House continued to bestow upon him the same honour, he would speak and vote according to the honest dictates of his conscience; and if the hon. mover of the amendment, on a division, went out of the House alone, he would accompany him. On a question of this sort he would make no compromise and he would vote no money for the continuance of what he considered a national disgrace.

Mr. *Curwen* reprobated the manner in which the hon. baronet had introduced topics, founded upon rumours which he had heard out of doors, and in which there probably was not one tittle of truth. Her majesty had been all her life subjected to these base and malignant calumnies —these scandalous attempts to destroy her consequence and respectability in this country. As to the amount of provision for her majesty, anxious as he was on all occasions to save the public money, he thought it should be settled upon the same liberal scale as allowances to other branches of the royal family. Justice demanded that the Queen should be provided for with the same liberality as the rest of the royal family. No part of the country was suffering more severely than the part which he represented; but he should be ill-received among his constituents on his return, if he consented to this miserable retrenchment, intended as a punishment upon a Queen who had been acquitted. Was she to be concluded guilty when those who ought to have brought her before another tribunal did not dare to proceed? With respect to the message of her majesty to that House, he inclined to attribute it rather to her advisers than to her majesty herself. The resolution which it expressed was one in which he should be sorry that she should persevere. There was in it a magnanimity that met the ear, but of which he did not approve. But he thought, that whatever objection might be felt to that message, it was too much to ground thereon such a construction as had been put upon it. The great object now ought to be to set at rest a question that had produced the strongest agitation, and that, compared with other national matters pressing upon the House, was in point of importance almost as a drop of water to the ocean. He was always a friend to economy; but when economy was mixed up with gross and palpable injustice, he believed he spoke the sentiments of the nation, when he asserted, that in this instance it ought to be disregarded: people might say, that the public money had indeed been spared, but that it had been spared at the expense of a foul and cruel imputation.

Mr. *Western* contended, that if, after what had passed, any man were allowed in that House to say, that the Queen was guilty, it was a place where every principle of law and justice, was disregarded! on every principle of law and justice the Queen stood precisely in the situation as if no charge had ever been exhibited against her; and if members were still to assert, that she was guilty, it would have been far better that the inquiry should have proceeded. Ministers had abandoned their bill because they could not prove its accusation; but, if every man was still at liberty to charge her majesty with the full commission of the crime, that abandonment might be looked upon but as an artifice to inflict a never-dying stigma, without a particle of evidence to support it.

Sir *T. Lethbridge* said, that the proposition before the House was, to vote a provision for the Queen, under existing circumstances, and he knew not how he was to give his vote without at the same time giving his opinion of the conduct of the Queen.

Mr. *Maurice Fitzgerald* rose to express his admiration of the zeal of the hon. gentlemen opposite in the cause of economy, and his hope that they would continue in that spirit, and exercise it impartially. Those honourable members expressed their indignation at the gentlemen on the Opposition side of the House who were willing to grant so large a sum as 50,000*l*. a-year to her majesty. That indignation was rather misapplied; the warmth should have been directed against his majesty's ministers. The former were willing to vote 50,000*l*. a-year to the Queen, supposing her to be innocent; while the ministers proposed 50,000*l.* a-year on the supposition of her guilt. If, then, it was the order of the day, that there should be these alternate assertions of guilt and innocence, which could have no purpose but to increase that irritation which it was the professed object of ministers to compose and settle, those ministers were loudly called on to justify their conduct.

Mr. *H. Sumner* said, he had objected to the grant of a large sum on the ground of the seditious tendency of her majesty's answers to the addresses she had received, and not on the ground, that her guilt had been established. He had explicitly said, that there was no ground of charge against her majesty, on account of the proceedings in the other House; but that on account of her answers to the addresses, and her message of yesterday, it would not be safe to place so large a sum of money at her disposal.

Mr. *Sykes* said, he would detail the motive for the vote which he had last night given, and which he should again give. He entirely concurred with respect to the allowance to be granted to her majesty, with the view of the noble lord (Castlereagh). The noble lord had stated, very distinctly, why 50,000*l.* was the sum which should be voted to the Queen. They had in the case certain land-marks, by which they could scarcely fail to be guided aright. This sum was the same which her majesty would have received if she had become a widow. The hon. member for Yorkshire (Mr. Wortley) thought there should be a reduction made in the allowance, on account of her answers to certain addresses. He was not of that opinion. He did not approve of all her majesty's answers, far less did he think with an hon. friend of his, that they were complete specimens of sound politics, religion and morality. Surely the answer to the Dover address was not liable to the harsh construction which had been put upon it. She might have been induced to use the words "my subjects" from the same expression being made use of in the address. The point for the present consideration of the House had nothing to do with those answers: it was simply, what was an allowance fitting for the high station and dignity which the constitution imparted to the Queen Consort of the country. As to the measure which had so long agitated the kingdom; namely, the erasure of her majesty's name from the Liturgy, it was his opinion, that the act was improper and illegal, and that some day or other her name must be restored. He would not go over the argument which had been so elaborately, but at the same time so perspicuously, urged on a former occasion by a learned gentleman opposite (Mr. Wetherell). The same ground had occurred to himself when he first heard of the exclusion of her majesty's name, and he thought, that no man who applied his mind to the act of the 13th of Charles 2nd. could entertain a doubt of the illegality of that measure. He heard it asserted, on the one side of the House, that the Queen had been acquitted; on the other, that she had been convicted; but his own opinion was, that she stood at present on the same ground as if she had never been tried, and that, consequently, she was entitled to all the rights and privileges, all the honours and dignities, which the constitution allowed to the Queen Consort. This, he firmly believed, was also the opinion of the country; and, until her name was restored to the Liturgy, he feared it never would be tranquil.

Mr. Alderman *Wood* said, that he could not sit still when statements were made which he had it in his power to contradict. He had now to ask the hon. member, who had declared his belief that her majesty's bills to her tradesmen were not paid, whether, in answer to his challenge of yesterday, he was ready to produce any one demand of that kind? He would pause for a moment for a reply.—As the hon. member for Surrey would give no answer, he should proceed. They now saw what the reports of the hon. member were worth. They had heard other insinuations arising out of reports from the hon. member for Somersetshire, who alleged, that money had been sent to an individual at Paris, who was said to have been living in a style of splendor at Paris. Now he challenged that hon. member to produce one proof, that one shilling had been sent to that individual; he challenged him also to shew what, if true, was easily proved, that Bergami was living in the style which had been spoken of. He was in Paris at the call of the gentlemen who were her majesty's law advisers, ready to be produced as an evidence if it was thought necessary. He was at Paris solely for that purpose; and if the House had dared to have gone on with the bill of Pains and Penalties [hear, hear!]—if his majesty's ministers had thought it prudent to go on—the member for Somerset would probably have had the pleasure of seeing that gentleman there. He wished now to call one or two facts to the attention of the noble lord (Castlereagh). He presumed by the appearance, that the noble lord had last night a book similar to that which had been just put into his hand. The noble lord had stated, that her majesty had returned answers to the people of Dover and to the mayor of the corporation of Canterbury, in which she had spoken of "*her* subjects" and "*her* people." He now called upon the noble lord to say, whether he could produce that answer to the address from Dover in writing, or in any shape, as the answer of her majesty. He next came to the answer to the address from the mayor and corporation of Canterbury, in which the Queen was made to talk of "her people." He denied that such an answer was given by her majesty in any shape. He denied it; and he would forfeit his life if it was ever given by her majesty. The answers to Dover and to the mayor and corporation of Canterbury were given verbally; he was present, when they were delivered. They were merely apologies, that her majesty was not enabled to return any written answer. As to the answer to the Canterbury address, he remembered the words. They were to this effect, speaking of her disposition to promote the welfare of the city of Canterbury, her majesty added, that she should be glad of every opportunity to make all *the* people happy. As to the answer at Dover, in which her majesty was stated to have spoken of "her subjects," he utterly denied it. He could appeal to all the persons who were then in the room, and he could bring them all to bear witness to the correctness of his statement. A few words were uttered by her majesty as an apology for her not being prepared with a formal answer, and afterwards a conversation took place between her majesty and the deputation to a much greater length. He challenged the noble lord, out of the four or five hundred answers to addresses, which were regularly authenticated, to produce any of the offensive expressions to which he referred. He had caused search to be made for them, and had not found any. At any rate, he would positively deny the correctness of the alleged answers to Dover and Canterbury.

Lord *Lowther* said, he only rose to say a few words in corroboration of what had been stated by the hon. baronet as to the style and manner of Bergami's living at Paris. He happened to be there for a few weeks during the stay of Bergami, who had been pointed out to him in an equipage as splendid as that of any person in that capital. In the quarter of the city in which he lived, he believed there was no person who supported a larger establishment. As to the amount of his funds, and whence he got them, or whether he paid for his establishment, those were matters of which he knew nothing; he could only speak as to his manner of living. It appeared to him, however, that the Queen had a right to spend her money as she pleased, either abroad or in this country: and therefore he should say nothing further on the subject.

Mr. *Brougham* said, he could distinctly state, that it was solely by his directions, with the concurrence of his learned colleagues, that Bergami had been brought to Paris. That person being resident on his farm in Italy, was brought to Paris in order to be in readiness, in case the bill should have come down to that House, and her majesty's counsel should have found it necessary to call him as a witness. That he asserted to be the fact. He had himself given the directions. As to that individual's scale of expense while living at Paris, he knew nothing; but this he knew, that if he spent a considerable sum of money in consequence of being called as a witness for the Queen, he was not the only person, either for or against the bill, who had incurred a considerable expence.

Lord *Castlereagh*, in referring to the questions of the worthy alderman, said, that when the worthy alderman challenged him to produce the written copies of her majesty's answers the worthy alderman should have recollected, that he was not in the service or confidence of her majesty, and that therefore the worthy alderman was holding out a challenge which it was impossible that he should accept. He was, however, quite willing to allow, that the part of the publication to which he referred was more laughable than serious, and that the rhodomontade of talking of her subjects was merely despicable when compared with the more dangerous parts. The worthy alderman now denied the authenticity of those addresses; but he would have been better occupied in correcting the press, than in calling on him to produce copies of them. They were published in form in the paper, which, from its correctness in giving these articles, had been called her majesty's Gazette. If, however, they were not correct, he could read other instances. He did so as a favour to the worthy alderman, because he might correct the press also in these instances, in the republication, which he understood was to take place of these specimens of political, moral, and religious doctrine. In the answer to an address from Wandsworth, delivered by a deputation on the 13th October, her majesty said "No Queen was ever more easy of access to her people than I have been; but this facility has not caused any diminution of their love and respect. That age of ignorance," continued the answer, "is past, which made divinities of kings; but my experience proves, that sovereigns who are known to be attached to the public weal, may dispense with much of that exterior ceremonial which kept them aloof from their people, without losing their veneration or forfeiting their regard." The House would see how plainly in that answer the Queen had amalgamated herself with the sovereign. He thought, it would be impossible to select a code of doctrine, political and moral, that could be more prejudical to the constitution of the country than was contained in her majesty's answers to the addresses presented to her.

Mr. *Gipps* said, it was a pity, if Bergami could have been produced in the Commons, that he was not produced in the Lords. Her majesty's answers on her arrival, such as those from Dover and Canterbury, were fair tests of her majesty's sentiments; but more unfavourable inferences were to be drawn from those which she had afterwards delivered, and with which she had completely identified herself. As to the question of the Liturgy, he referred to the address of the House to queen Anne, in 1702, thanking her for her zeal for the protestant succession displayed in her inserting the name of the electress Sophia of Hanover in the Liturgy. After this could it be maintained, that the Crown was not authorised to omit as well as to introduce the name of that princess? And yet the House had returned thanks for that introduction. He conceived that that act of the House completely justified the present proceeding.

Mr. *Denman* said, it was impossible, standing in the relation which he did towards the illustrious person who was the object of it, for him to give an opinion on the proposed grant; though he was conscious that in so doing he abandoned, in part, his duty to his constituents, who were anxious, in common with the whole country, that the more liberal vote should be supported. He felt it impossible, however, to hear the language which had been uttered on the other side, without drawing attention to it. He deemed it requisite to apologise to the House for approaching this subject with a degree of feeling which was excited by previous reflection on the conduct pursued towards her majesty from the beginning of the proceedings, in doors and out of doors, by the king's government and by their friends, which formed a series of persecution which he believed to be perfectly unparalleled in the history of the civilized world. That a majority of the peers came to a certain vote was true; that her majesty was convicted by any such vote he denied. The withdrawing of the bill was conclusive in favour of the Queen; because it was evident, that it was not withdrawn from any favourable feeling towards her, on the part of her accusers. It could only have been withdrawn because its patrons were satisfied, that they could not carry it, and that though they might triumph in the Lords, they could not succeed in the Commons. If prudential motives entered into the determination of the accusers, they deserved praise, but the accused should have the benefit of their determination. He had a right to consider the peers who came to a vote on that question, in their individual, not in their legislative capacity, and subject to have their opinions canvassed as mere individuals, for no law had been founded on their vote. Supposing then, that the bill had passed the House of Lords, and had come down to the Commons—and had been proceeded on in the temper which some gentlemen now evinced, could they have given an unbiassed judgment then—if now, when the bill had been thrown out, such illiberal opinions were founded on a rejected proceeding? He contended, that no member of that House had a right to found an opinion of the Queen's guilt on the result of that trial. Did they come now to argue the case over again, as on a motion for a new trial? He vowed to God, that he never expected to be called on to argue it again. Did they wish to argue it for the purpose of keeping up that unmanly conduct which had hitherto been pursued towards her—by referring to unfounded statements, that had been refuted by a gentleman of honour, who had the means of knowing how the fact stood; and by a reference to an alleged manner in which an individual lived at Paris? He deprecated the question now to be decided by the House; but he did, in the strongest manner, protest against any individual being pronounced guilty, the prosecution of whom had been abandoned by persons not disposed to show the smallest favour to the accused; and he begged, that the prejudice resulting from such a course of unjust proceeding might be confined to the breasts of the persons who indulged it. But, he heard with surprise a new question started, and that a new offence had been committed by her majesty in sending down a message to that House. If it were deemed an offence in her to declare openly her intention of rejecting any pecuniary grant, he thought it one for which a just and generous people would honour her, whatever might be the opinion of that House. In declaring this intention, her majesty had at least the merit of consistency; for, before she landed in this country, she had protested against the erasure of her name from the Liturgy, as an illegal violation of her rights. The moment she came over to England she claimed the restoration of her name; and the noble lord would recollect, that in the first interview which took place during the negotiations for an amicable arrangement, that was advanced as a legal claim by his learned friend and himself. The noble lord would also recollect, that in the discussion which took place on the motion of the hon. member for Bramber, the same ground had been taken by his learned friend. The question had indeed since that period been enveloped in such a blaze of light by his hon. and learned friend opposite (Mr. Wetherell), that it was difficult to approach it again without weakening the effect of the arguments then so forcibly advanced. Yet, in spite of this, the House were to be told, that the right of inserting or omitting names in the Liturgy was purely a ministerial question; and, in proof of this, a reference was made to a resolution of the House of Commons, in the reign of queen Anne, thanking her majesty for having evinced her zeal for the protestant religion by inserting in the Liturgy the name of the electress Sophia. But was there no difference between omitting and inserting a name? Could it be contended, that there was no difference between the case of inserting in the Liturgy of the church the name of a princess who had never been prayed for before that insertion was directed to be made, and the case of omitting the name of a Queen, who had been so long prayed for by name in that Liturgy, as princess of Wales? Good God! he could not suppose, that any man would venture to assert such an absurdity and therefore it would be a waste of words to combat it. He lamented to say, that in all these discussions, it seemed to have been taken as a guide of conduct and as a standing rule of argument, that the weaker party should be uniformly found to be in the wrong. There was no want of matter upon which that disposition might be manifested; for if one subject failed, another was directly found to serve the turn of gentlemen on the other side. And now, accordingly, they had taken up the case of the addresses; and the language of her majesty's answers was scrutinized and denounced. Why, had they not that night, been made acquainted with the contents of a most calumnious libel, which, if it were examined with the same scrupulous nicety that was applied to the expressions of a poor, forlorn, and defenceless woman, not well acquainted with the language of the country, and placed in a situation of unexampled difficulty and distress, would, he had no doubt, be considered as one of the most unwarrantable and flagrant offences, in the way of libel, that was to be found in the history of the country? He did not mean to go to that extent in inquiring into it; nor, if he did, was he likely to meet with the support of the same hon. gentleman on the other side, because the ministers of the Crown did not wish to press the matter. But he said, it was perfectly impossible, when they saw the enormous number of addresses presented to her majesty, warm from the lips and hearts of so large a portion of the population, that the Queen could be supposed to be exciting or encouraging disaffection. It might be very well to pick a hole in these addresses, and to say, they were calculated to excite agitation and disaffection; though none could be so well calculated to effect that end as the insertion, by lord Sidmouth, in the royal Gazette, of an address in which the conduct of the opposition was described to have been violent, unconstitutional, and insolent (hear, hear); and which was headed by the declaration, that the king had been graciously pleased to express his approbation of it. It was impossible, that the king could ever have approved of it: he did not believe, that he could do so, for a moment. But as to the charge of disaffection, he defied any man to prove it. He defied any man who had the slightest pretensions to character, to say, that he believed the Queen to be engaged in exciting disaffection. It might be said so in truth, if she was deprived of her reason; and that was a calamity which would be held to excuse her offence, on all principles of law and reason; but, short of that it was utterly impossible that she could at any time so far forget her own station, dignity, and interests; and he took the liberty of saying, that the advice by which she was likely to act all her life, would effectually prevent any thing like one sentiment of disaffection from being entertained by her. He apologized to the House for having thus long detained them; but he felt called on to offer some observations, after what had been said by various gentlemen, and particularly by the member for Surrey. He could assure the House, that whatever might be the result of the last proposition submitted to it, himself and his hon. and learned friend would not even pair off with the two county members who had brought it forward and supported it. He had certainly no pretension to occupy so large a portion of the House's attention as he had done; but he could not sit down without putting in his claim on the part of the most persecuted woman whom he had ever read of in the history of the world.

Mr. *Wilmot* said, he did not think it proper on the present occasion to discuss the guilt or innocence of the Queen, as proved by the proceedings in the Lords, but at the same time, he claimed the right of qualifying his vote by his conviction, or of forming his conviction from what had entered his mind, without referring to the particular sources of it. He thought, however, that since the proceedings of the Lords were at an end the ministers had acted quite correctly in giving the Queen the whole of her legal rights, according to their ideas of them. He considered the insertion of her name in the Liturgy as a matter of grace and favour; and as such he had refused it his vote. He thought it not right to call the withdrawing of the bill of Pains and Penalties an acquittal: as that measure was of a mixed nature and as the reasons for withdrawing it might refer to the legislative and not to the judicial part, it could not be said to have the full effect of an acquittal. Before he sat down he would take leave to express his sorrow, that the hon. member for Surrey who had found time, as he had informed them, to mature his regrets for the asperity with which he had spoken on a former night, had not also found time so to mature his opinions, as to abandon all idea of bringing forward the amendment he had done. The inexpediency of his proposition was evident. In the first place, if he obtained only a small division, that would be no great compliment to his sagacity; in the second, if it went to a large division, that would be an event which would only tend to aggravate those feelings at present pervading the House and the country, and the warmth of which he was willing to trust would soon be allayed.

Sir *T. D. Acland* said, that beyond the grounds upon which many gentlemen intended to support the original proposition, there was one additional reason for his concurring with it. That one reason was, that it was so worded, as that it neither imputed guilt nor asserted innocence. As the vote now stood, any new arrangements which might be hereafter made for her majesty would leave it *in statu quo*. Had it not been for her majesty's self-denial and generosity in 1814, she would have been present to the consideration of hon. gentlemen, at this moment, as a person already indulged with that measure of liberality which they were now met to consider the propriety of bestowing. In 1814, the estimate of the sum to be allowed her, yearly, was 50,000*l.*; but in her own estimate of her own expenditure, she was enabled to reduce that proffered allowance, to one of a considerably less amount. Now, it would be most ungracious in them to make such a return for this act of her's as to vote the decreased income proposed by the hon. member for Surrey: for surely they could not take advantage of an act of generosity to the detriment and wrong of the individual concerned.

Mr. *Forbes* said, that many reasons had hitherto induced him to support the smaller, rather than the larger sum; but on further consideration, he had thought it advisable to give way to his feelings, which were, however, in this case, still in opposition to his sounder judgment. He had not ascertained, whether they had yet made up their minds to pass the vote, in favour of the high personage interested, in the character of Queen Consort of England, or in her character of companion of the grand master of the order of St. Caroline. He would however, support the original proposition: though at an earlier stage of the business he would have felt inclined to make use of the words which had been quoted by a learned gentleman opposite (Mr. Denman) in another place, and have said "Take your thirty thousand pounds," and "go and sin no more."

Mr. *Brougham* said, that he could not allow such a gross perversion of the words of his learned friend to pass unnoticed, as the House had just heard. But this misinterpretation had appeared heretofore, although it was more gross and perverted than any individual who was candid, could make of the words of any man. The fact was, that his learned friend had no such meaning in the words which he had used, as that which was imputed to him. But he was quite satisfied, that the last speaker had only repeated that, which the colouring of others had suggested to his mind, without any intention to misrepresent.

Mr. *Forbes* said, it was generally believed, that the words had been used. They had not been denied. In what sense they were used he could not take upon himself to say.

Sir *Francis Blake* said, he had been made to assert the other night that, ministers intended to promote a revolution. What he had said was, that this was the age of revolutions, and he should not wonder if ministers produced one. There was a wide difference between an act intentionally committed, and that which was the effect of blindness. He did not think ministers would promote one intentionally, for the best of all reasons—self-preservation; it being obvious, that they would be the first sufferers by such an event. With regard to the sums proposed, instead of a smaller he should have been inclined to move a larger sum for her majesty, had not the situation of the country induced him to suspend his intention. The explanation given by a worthy alderman, that her majesty paid her bills every month, was an example well worthy of imitation in other quarters.

The question, "that 50,000*l.* stand part of the said resolution" was then put and agreed to, without a division.

HOUSE OF COMMONS.

Friday, February 2.

PETITIONS RELATIVE TO THE QUEEN.] Sir *Robert Wilson* presented a petition from the Coopers of London, praying for the restoration of her majesty's name to the Liturgy. It was signed, he said, by 1,300 persons. They prayed also, that inquiry might be made into the Milan commission, and that ministers might be dismissed. With respect to the Milan commission, he looked upon it as an illegal establishment, a sort of agency-board for carrying on the business of a conspiracy against her majesty. This appeared evident from the the witnesses they procured, who were utterly unworthy of credit, and whose evidence was improbable, or rather impossible. They appeared never to have made any inquiry as to the credibility of the witnesses, or the truth of their statements, but shewed the utmost remissness in this and every other respect. Their only object seemed to have been to collect what evidence they could against her majesty, whether true or false. He had it upon the honour of the Austrian ambassador to the court of Naples, that every thing stated by the witnesses respecting her majesty's conduct at the court of Naples was wholly false. If there was no charge against the commissioners, it would be only fair, on the part of ministers, to give them an opportunity of defending themselves, by allowing some inquiry to be gone into. He condemned, in severe terms, the manner in which her majesty was treated by many hon. gentlemen in that House, who used such language as left her no alternative but to demand another trial, for the purpose of vindicating herself against those aspersions.

Lord *Sefton* presented a similar petition from Liverpool. It was signed, he said, by 10,000 inhabitants. He could vouch for the respectability of many of the names. They prayed, that the question concerning the Queen should be agitated no longer, that she might be restored to all her rights and dignities, that inquiry should be made into the outrages at Manchester, the taxes diminished, and the people admitted to a larger share in the legislature than they at present enjoyed.

Mr. *Creevey* said, that he was ready to give his support to every part of the petition. The first thing the petitioners prayed for was, that her majesty's name might be restored to the Liturgy. Upon a former occasion, before the inquiry had been gone into, he supported, upon grounds of justice and policy, the propriety of restoring her majesty's name. If it was important then, it was much more important now, when the exclusion amounted in fact to punishment, for a crime of which she had been acquitted. Every man was interested in opposing the species of law laid down by the noble lord opposite, who maintained, that as the bill of Pains and Penalties had undergone a third reading, and had then been only withdrawn, her majesty was in fact morally convicted, and only technically acquitted. This was a strange kind of law, which it was the interest and duty of every man in the country to oppose. If a third reading was sufficient to prove guilt, why should not a second, or even a first reading, have the same effect?—It would be much better not to carry it to a third reading; for then all the filth, the trouble, and expense of the evidence would have been spared. This new law of the noble lord's was the old story of "Acquitted Felons," a phrase of which he believed his late friend Mr. Windham was the author. The conduct pursued towards the Queen was worse. "Acquitted felons" supposed a trial; but her majesty's name was erased from the Liturgy without trial or inquiry; and though acquitted, they still heard, night after night, the most gross aspersions thrown upon her in that House. This would be unfair and unjust, even towards a female of the lowest class in society, who had been once acquitted. This country knew of no such law as that of the noble lord. The law here was, guilty or not guilty—by the finding of a jury. Her majesty was attacked for refusing to accept any provision till her name was restored to the Liturgy. How was it possible, that she could agree to accept it under such circumstances? She acted in this as became a person determined to support her honour and character. He trusted, that in this generous nation there would be found spirit enough to protect the unfortunate and illustrious lady, if she should persist in her refusal, from suffering the pain and degradation of indigence. If ministers should continue in their resolution of not restoring her name to the Liturgy, he felt confident, that the country, which had hitherto supported her majesty, would protect her against the distresses of pecuniary embarrassment.—Some inquiry into the outrages at Manchester was the second object of the petitioners. Though it was long since that disgraceful event took place, it was quite natural, on the part of his townsmen of Liverpool to wish, that it should be inquired into. That man must have a mind singularly constructed indeed, who, when a defenceless crowd of men, women, and children had been broken-in upon, trampled down and butchered by the military, when those magistrates by whose direction it was done had received the grateful thanks of the Crown, upon their own *ex-parte* statement of the facts; his mind must be singularly constructed, who thought, that such an outrage could be forgotten. Even now, though late, every inquiry should be made into that memorable and shocking event.—The third prayer of the petitioners was, that the taxes might be reduced. It gave him much pleasure, that the people of Liverpool were the first to petition on this subject. He hoped soon to see similar petitions poured in from all parts of the country. It was quite a mockery to hold out expectation of relief, until such time as many of the existing taxes were taken off. This might be done, if the House performed its duty zealously, by inquiry into all the sources of expenditure, and introducing economy into every branch of it. By taking a view of circumstances in the year 1792, when corn was at the same price as now, by comparing the amount of taxes then with that of the present day, it would appear utterly impossible that they could be borne.—The last prayer of the petition was, that some reform might be introduced in the present system of representation in that House. He felt certain, notwithstanding what the most stubborn anti-reformer might think, that the present system never received such a shock as it did by the vote of Friday last, which, he contended, was completely in opposition to the sense of the people, and even to the opinions of many who voted against the motion. There was a peculiar circumstance in the case of the petitioners, that justified them in their application for some reform. There were 100,000 inhabitants in Liverpool and only 2,500 or

2,600 voters. The representation was by no means a popular one. The right of freedom could be acquired only by apprenticeship, so that any person coming to reside there, however great his wealth or respectability might be, had no franchise. Besides, the influence of the corporation, who had the control and direction of 60,000*l.* or 70,000*l.* a-year, was all powerful over the freemen. They could command, out of the whole number, 700 or 800 votes. It was needless to mention how great the influence of the Crown must be in a town where there were so many profitable places to be disposed of. If the representation was more popular, the influence of the Crown and corporation would not, of course, be so dangerous as at present.

Mr. *Gladstone* said, that the freemen of Liverpool were more numerous than the hon. gentleman represented. They exceeded 5000, and no such influence as that alluded to existed in the corporation. Their influence was pretty much the same as that of other gentlemen in the town of wealth and respectability. The corporation, he believed, discharged their duties most conscientiously. All the business under their direction was done by contract; which must have the effect of lessening their influence at elections, if they should be disposed to employ it. He was not personally acquainted with many of those whose names were signed to the petition. He was not inclined to dispute the character and respectability of some; but then he must say, that he had opportunities of knowing the sentiments entertained by many gentlemen and merchants of Liverpool of great wealth and character who did not approve of this petition, but approved of the measures of government. Much was said of the hole-and-corner addresses agreed upon by some gentlemen; but, under the circumstances there was perhaps no other way of expressing their opinion. The party from whom this petition proceeded, applied to the principal magistrate to call a meeting, which was accordingly done. A proposition was made for an address of loyalty to the Crown, but those who were willing to support it, were put down by clamour.

Mr. *Creevey* said, that in 1812, when he was a candidate for Liverpool, not more than 2,400 had polled. If the circumstances attending the meeting were properly represented to him, the hon. gentleman and his friends attended there for the purpose of defeating its object and for that purpose filled the hall with their partizans. The mayor considered them as having acted with great violence, and therefore another meeting was called by him in a larger place; but the hon. gentleman and his friends did not dare to go there.

Mr. *Gladstone* said, it was a mistake to say, that the late meeting was called by the mayor, it was brought about by a number of individuals, who assembled for the purpose, and placed a Mr. Fletcher in the chair. The persons with whom he (Mr. G.) acted, withdrew when they saw with whom the measure originated.

Mr. *John Smith* said, he held in his hand a petition, to which he begged to call the most serious attention of the House. It was the petition of the merchants, bankers and traders of the city of London, and was signed by 5,000 persons. He did not mean to say, that the petitioners were, from the accident of possessing property, entitled to more consideration than persons who were poor. But, inasmuch as property gave an opportunity of education and the exercise of talent, he felt himself authorised to say, that there never had been presented, at any period, a petition from a class of persons superior to those by whom that petition had been voted. The first prayer of the petitioners was one to which the House must most readily lend its ears. They prayed, that parliament would, in its wisdom, adopt the necessary measures to allay the agitation which prevailed in the public mind. There were three or four points in this petition, upon which he would offer a few observations. The petitioners said, and said truly, that they entertained the strongest feelings of attachment to the Crown and to the constitution; and further, that even at this period of distress and agitation, they knew the great body of the people to be actuated by the strongest feelings of loyalty. They felt also, that no violence or disaffection existed, against which the present laws did not provide a sufficient remedy. They, at the same time, expressed their regret, that the late proceedings against the Queen had been instituted; proceedings which the House itself had declared to be derogatory from the dignity of the Crown, and injurious to the best interests of the country. He fully concurred in the reasons urged by the petitioners against those proceedings. They felt, that her majesty had been prosecuted without any adequate political necessity; that the charge brought against her had been supported, or attempted to be supported, by evidence of the most horrible, disgusting, and detestable nature that had ever been brought into a court of justice. If the succession of the Crown had been endangered, then the people would have been content to pay the penalty of enduring the evils of such a measure, in order to secure the future peace of the country. The proceedings against her majesty, as had been well observed by an hon. relative of his (Mr. Wilberforce), were calculated to injure the morals of the country. Ministers had many great and arduous duties to perform; but he knew of no greater duty which devolved on them, than that of preserving the morals of the country. Many complaints had been made by ministers of immorality in a certain quarter, but they themselves were the greater sinners. He was aware, that some loyal and independent gentlemen, men of high character, had, without any public notice, met in a tavern for the purpose of presenting a loyal address to the throne. To that address he had no objection to offer. He would have willingly signed it; but he felt, in common with the petitioners, that the present state of the country required something more to be said. Of the loyalty of the petitioners, no man could doubt; nor did he mean to cast any imputation upon the loyalty of the gentlemen who got up the loyal address. The petitioners felt it their duty, in consequence, to call a meeting of the merchants, bankers, and traders of London, which, by the kindness of the Lord Mayor, took place in a large hall in the Mansion-house. At that meeting, he (Mr. Smith) had the honour to move certain resolutions, on which the petition was founded. Although anxious not to increase irritation or ill-blood on that occasion, he was bound to speak the truth. The meeting was composed of the largest assembly of well-dressed persons that perhaps ever were brought together in London. The proceedings commenced quietly enough; but when it came to his lot to move the third resolution, a clamour arose such as he had never before heard; and which, for the time, put an end to all discussion. He was compelled to say, that he had reason to believe, that this clamour was altogether preconcerted, and that the individuals by whom it was so preconcerted, were determined to prevent any discussion. Having contended, that public meetings were productive only of confusion, they created confusion for the purpose of proving their own argument. He begged to be distinctly understood however, as not meaning to apply this observation to the larger part of the more respectable portion of the class of individuals to whom he alluded. He was the more disposed to consider the tumult intentional, because it began the moment her majesty's name was mentioned. Now, though there might be shades of difference of opinion on the subject, there was not a man in the city of London who did not deplore the introduction of it as a national calamity, and who was not of opinion, that the prosecution was most inexpedient, because he well knew, that whatever might be the case elsewhere, there could not be the most distant hope, that in that House, under all the circumstances of the case, and without the power of administering an oath, a subject so large and complicated could ever be brought to a successful issue. The inhabitants of the city of London therefore thought, that the proceeding which had taken place was calculated merely to throw an unfair imputation on the unfortunate and illustrious lady in question. As that was the universal sentiment of the city of London, he must think, that the clamour which took place, was occasioned only by the wish to prevent discussion. In vain did the chief magistrate of the city exert himself in every possible way to keep order. He (Mr. S.) had heard of a protest in the papers signed by a gentleman whom he did not know, declaring, that it was not understood that the resolutions were put, and that if that had been understood, a great majority would have shown itself against them. As that protest was signed only by an individual, and as the hon. baronet opposite allowed, that there was a majority in favour of the resolutions, he did not think it would be considered as entitled to great weight. The hon. baronet, with his usual good humour, admitted, that the question was carried against him. So much, then, for this part of the subject; but he must solicit the indulgence of the House whilst he offered a few words on the subject of the disturbance. It had given him considerable pain, because it bore the aspect of an approach to that sort of intolerance which must produce ill effects when introduced into political discussion. In that House, the most marked diversity of opinion created no sentiment of malevolence, but, on the contrary, was often found to be compatible with perfect friendship. When, therefore, he saw people of education, evincing a spirit of this kind, he could not help viewing it as a prelude to something worse. He hoped, however, that two good consequences would result from this occurrence; first, that there would be no more clandestine meetings, and, secondly, that if there should be large and public meetings, they would be conducted with order and propriety.

Sir *W. Curtis* expressed his full concurrence with the hon. gentleman in many of his observations, and agreed also in the correctness of some parts of the statement which he had made, relative to what took place at the meeting from which this petition proceeded. The meeting had been very properly called on a requisition most honourably signed, containing the names of men of the highest character, as well as of the greatest property. He was, however, compelled to differ from his hon. friend in one respect. His honourable friend had said, that the declaration agreed to at the London Tavern could only be regarded as that of the individuals by whom it was subscribed, and that it did not record the sentiments of the merchants and bankers of London. Now, although he was disposed to allow the respectability and opulence of those who called the public meeting, he would assert, that the declaration was signed by persons of as much property and honour, to the fullest extent. He did not know why, because one party thought fit to hold a public meeting, it should quarrelwith another, that adopted a different mode of declaring its opinions. The declaration of the latter was certainly mild and moderate enough; no loyal man could dissent from it; it was indeed but a-milk and-water kind of production. No other mode, however, was presented of testifying his attachment to the throne, and he thought, it was a time, when that attachment, and a determination to support the throne, ought to be declared. He denied, that he ever did any thing in a hole or corner: whatever he did, he wished the world to know. The declaration originated in a peaceable and quiet meeting, and he for one, thought it might serve to cheer up his majesty, if at such a time they passed a resolution approving of the conduct of his ministers. He did not think his hon. friend was quite correct in his account of what happened at the Mansion-house. His hon. friend was extremely well heard for a considerable time, although symptoms of disapprobation at last broke out. This was not surprising, where the subject was one with regard to which as much difference of opinion prevailed out of the house as within it, and as to which he believed a still greater majority of thinking people out of the House than in it were of an opinion different from that of his hon. friend. He certainly lamented the late inquiry; he wished it could have been wisely avoided; and he wished now, that the subject could be forgotten. To come back, however, to the meeting—his hon. friend had obtained as good a hearing as he could have expected, and the first resolution was put and carried. As several others remained, he (Sir W. Curtis) offered himself to the attention of the assembly, which was certainly composed of an immense number of well-dressed and good-looking people. A large party immediately opposed him, and would not hear a single word that he had to offer. But what did all this prove. That it was impossible in a populous city, where the minds of men were much agitated and at variance on any subject, to draw any conclusion from the proceedings of such a meeting. It required great strength to be able to maintain a place in such a meeting. He knew several hale young men who had been present, and who declared, that they would never go to such a meeting again. He was surprised to find the name of an hon. member on the opposite side, who had himself been a party not two years ago to a private meeting such as that from which the late declaration emanated, to the requisition for the meeting at the Mansion-house. This appeared to him to be somewhat inconsistent. As to the way in which the question had been put, as he had retired from his place at the time, he could not speak to it; but he believed it was generally understood, that the motion on which the show of hands took place was, that the question should not be put.

Mr. *Astell* begged to defend himself from the charge of inconsistency. When a-year and a-half ago he had assisted at a private meeting of the merchants and bankers of London, the country was then in a different state. If new lights had since that time broken in upon him, why was he not to attend a public meeting? The object of that private meeting was, to consider the expediency of certain bills which had been brought into parliament, and which he had unequivocally upheld. The very circumstance of the passing of those bills rendered private meetings less necessary; because, at present, no improper persons could break in upon a public meeting of the merchants and bankers of London. It was his decided opinion, that there would have been no tumult in the Egyptian Hall, but for the hon. baronet's friends. The declaration of the merchants who met at the City of London Tavern, was put forth as the declaration of the merchants of the City of London, which it was not; nor had the persons who signed that petition any claim to exclusive loyalty. That those who signed the petition, were as loyal and as well disposed to preserve the public peace, and to maintain the constitution, would be evident to any one who looked at their names, and their property and rank in life. It was, however, their duty to tell the House of Commons what their opinion was; and he hoped and trusted, that the good sense contained in their petition, and the general feeling of the country, would succeed in effecting the restoration of her majesty's name to the Liturgy, from which it had been illegally removed.

Lord *Milton* was sure, that the House had heard, with the greatest regret from the hon. baronet, that henceforth it would be in vain to expect to ascertain the sentiments of the merchants and bankers of London, from any public meeting at which they were assembled. This was the more painful, as the sentiments of such a body were in themselves highly important; and as it was always of importance, that the House should have an opportunity of knowing the sentiments of their constituents. The hon. baronet had said, that he had signed the declaration, although he thought it did not go far enough, and because he thought, his majesty ought to be cheered up. When, however, the hon. baronet coupled with that sentiment an approbation of the measures of ministers, he expressed two opinions completely distinct from each other; because, if there was any one proposition more evident than another, it was, that the measures which had been adopted by his majesty's ministers were very far from being beneficial to the Crown.

Mr. *Wells* observed, that he had signed the declaration, because he thought it a proper occasion for expressing his loyal and dutiful attachment to the Crown. He believed it would be seen, from the signatures attached to it, that this was the persuasion of many most respectable and honourable men. The declaration which had been so much commented on was fairly and openly agreed to, and was publicly signed. There was nothing in the character of the meeting at which the declaration was proposed, that could authorize the hon. member who presented the petition to call it a clandestine transaction. The declaration was intended to express the sentiments of the gentlemen whose names were affixed to it, and did not profess to speak the opinion of any others. The doors of the House in which the meeting was held were open to every one. No porter was stationed at them to challenge the entrance of any individual. With respect to the other meeting, it was called for twelve o'clock. He went to the place appointed before that hour, and found that it was impossible to get in. The lives of individuals appeared to him to be in danger; and, from his advanced age, he did not think it advisable to attempt to procure a situation in the body of the hall. Under these circumstances, he considered the last meeting as the truly exclusive meeting, and was convinced, that the petition did not express the sentiments and feelings of the merchants and bankers of London.

Mr. Alderman *Wood* could assure the House, that the presence of the hon. baronet had been the only cause of the tumult in question. Half an hour before the business began, the hon. baronet took a foremost seat on the hustings, and showed himself off in great style, bowing to all his friends, and telling them he was very glad to see them. In all city meetings there was a little noise; but the hon. baronet had himself allowed, that the resolutions had been carried by a majority of three to one. The petition was read by the Lord Mayor himself, and in putting the question he did all in his power to be heard in so large an assembly, by holding up the petition and calling out, "This is the petition." He would venture to assert, that the majority in favour of the petition was five to one. The hon. member who had just sat down had talked of the great difficulty of getting on the hustings. He would ask that hon. gentleman, whether or not he was one of a body of two or three hundred persons who came to the hall with a view to take possession of the hustings? In the excellent dispositions of the Lord Mayor to accommodate both sides of the question, he allowed a party of those who had signed the declaration to be admitted into a parlour, into which were also admitted the requisitionists of the public meeting; and from which parlour there was easy access to the hustings. He appealed to the House, whether there could be a fairer proceeding. As to the tumult, it arose immediately after the speech of Mr. Bosanquet, who had been patiently heard throughout.

Mr. *Baring* said, that having been present at this meeting, he felt himself called on to state to the House his impression of the facts as they occurred; and he must say, that a more unworthy combination never existed any where, for the purpose of preventing individuals from being heard, than he witnessed on that occasion—that combination, too, being formed by some of the most respectable persons in the city of London. The only way in which their conduct could be accounted for, had been let out by the hon. baronet in the course of his speech; namely, that public meetings were to be treated as a mere farce. He had learned from many persons, that the business of the meeting was obstructed by those very friends who, in the excess of their zeal, even prevented the hon. baronet himself from being heard. They had sent regular circulars to every part of the city, in order to collect together persons who would disturb the meeting; and every possible means was resorted to for the purpose of preventing the merchants and bankers from assembling publicly to speak their sentiments. He totally disagreed from the hon. baronet as to the general conduct that was observable at meetings of the merchants of London. No meetings were ever held, at which a greater degree of decorum prevailed. The hon. baronet might have seen some instances of a different kind, but they very rarely occurred. But for the combination, or conspiracy, to which he had adverted—this last meeting would like others, have passed off quietly and decorously. The hon. baronet asked, "what was the harm of this loyal declaration? why should it excite opposition or jealousy?" In the first place, it was called "The declaration of the merchants and bankers of the city of London," which it was not. He knew that the declaration itself purported to speak the sentiments of "the undersigned merchants and bankers," but the placards announcing it gave it a different designation. Until those who got up the declaration found, that this was considered a very important point, they had not changed the terms of the placard, but within these few days they had found it necessary to make an alteration. The hon. bart. said, "Why should not the merchants, bankers, and traders agree to a resolution of this kind?" He did not mean to say a word about the loyalty of the persons who signed the declaration. No person could doubt it; and the whole question was, whether the present was a proper occasion for putting forth such a declaration? The declaration also stated, that sedition and blasphemy abounded in the country; with a view of making an impression, that the agitation which the measures of his majesty's ministers had caused was occasioned by sedition and blasphemy. The petitioners thought otherwise; and they thought it their duty to state what in their opinion was the real cause of the present state of the country;—namely, the proceedings which had been instituted against her majesty. They preferred drawing out a petition to the House to framing any counter-address to the throne; because, they felt the propriety of avoiding, except on the occurrence of a great necessity, any step that might be considered personally offensive to his majesty. The loyal declaration had evidently been got up to serve as a kind of counterbalance to the numerous petitions which were pouring in from every part of the country. Like others of a similar character, it had originated at the Treasury; and was milk-and-water, because no one would venture to administer any thing stronger. There was no foundation for the assertion which it contained, of the prevalence of sedition and blasphemy. If any part of the empire could more than another effectually contradict the aspersion, that the great mass of the people were disaffected to the existing institutions, it was the city of London; for no one could have witnessed the meetings at Spa-fields and elsewhere, without feeling how contemptible, both in character and in numbers, were the persons who were called radicals. He could not agree, therefore, that there was any want of loyalty in the country. The loyalty of Englishmen was a rational feeling, and was never in greater jeopardy than when ministers dragged his majesty and the royal family through the mud, as they had lately done; and then pretended to hold them up as objects of respect and admiration. It was no small matter, that ministers had brought his majesty into such a condition, that the hon. baronet should think he wanted a little "cheering up." He perfectly believed, that the hon. baronet was correct in supposing that such was the the case, when he saw, that his majesty could hardly change post horses in any town in England, where the conduct of his ministers had not created a feeling which rendered it difficult for him to pass through with decency. As to the question of loyalty, the feelings manifested by all classes of the people on the death of his late majesty, and on the death of the princess Charlotte, proved it to be the basest calumny to say, that the present feelings of the country were produced by any other cause than by the manner in which his majesty and the royal family had been dragged through the dirt by the noble lord and his colleagues.

Mr. *Wilson* could not exactly agree either with the hon. baronet or with the hon. member for Taunton. He denied the declaration of the former, that the hon. mover of the resolution was distinctly heard. He denied the assertion of the latter, that the tumult was the result of any combination or conspiracy. He did not believe one word of such a charge, and was convinced that it was utterly unfounded. The Declaration had not been put forth as the declaration of the merchants and bankers of the city of London, but only as the "undersigned" merchants, &c. He admitted, that in the earlier placards that distinction had by mistake not been made; but the error was unintentional, and was corrected as soon as it was discovered. He wondered, that those honourable gentlemen who had charged the individuals signing the declaration with being influenced by any but the most open and honourable motives, had not, on reading their names, felt a kindness and respect which would have induced them to treat those individuals in a spirit of greater charity, and to believe, that they were as unlikely as themselves to do any such thing. The hustings were capable of containing 250 persons. Notwithstanding an application made the day before, only 20 of the gentlemen who had signed the declaration were permitted to go on the hustings. This he did not consider very liberal, especially when the crowded state of the body of the hall was considered.

Mr. *G. Philips* declared, that he had never witnessed more disorderly and disgraceful conduct than on the occasion in question. The exclusive loyalists and lovers of order were shouting, hissing, and adopting every other means of creating a tumult. He heard the conversation of some of those who were near him, and it ran on the impossibility of deliberation at a public meeting, and on the probability that that would be the last public meeting of the kind in the metropolis, and on similar topics. There was every appearance of a combination to create disorder. The hon. baronet's appearance was a signal for disorder; and he was not heard himself, in consequence of the noise which his friends made. He was surprised to hear the hon. baronet express a doubt whether the resolutions were carried. He was quite satisfied, that they were carried, by a majority of three to two. Ordered to lie on the table to be printed.

BREACH OF PRIVILEGE—COMPLAINT OF AN ADDRESS PUBLISHED IN THE LONDON GAZETTE.] The debate was resumed on the motion, "That the paper, intituled, the dutiful and loyal address of the Presbytery of Langholme, in the county of Dumfries, which was published in the London Gazette of the 2nd January last, contains passages in manifest breach of the essential privileges of this House of Parliament." The motion was agreed to, *nem. con.* After which, sir John Newport moved, "That a communication having been officially made to this House, that the insertion in the London Gazette of the aforementioned address from the Presbytery of Langholme proceeded from inadvertence to the reprehensible and offensive expressions justly complained of, this House does not feel itself called upon to take further notice of the same." The said resolution was agreed to.

Supply—Bank of Ireland.] On the motion for going into a committeee of Supply,

Mr. Grenfell wished to ask the Chancellor of the Exchequer, in the absence of the Secretary for Ireland, whether he was prepared to give any information as to the conduct of the Bank of Ireland, who, he understood, had refused to receive the coin of the realm as deposits? He was at a loss to comprehend on what grounds the Bank of Ireland did this. In local districts, bankers might do it with a view to discountenance the circulation of any thing but their own notes. Whatever the ground might be, it was necessary for the Government of the country to take some notice of it, as it contravened the intention of the government of the country with respect to the currency.

The *Chancellor of the Exchequer* said, he was not enabled to give any information on this subject. The hon. member would be aware, that no one could refuse to receive the coin of the realm in payment. He did not know what difference there could be between payments and deposits. He was rather surprised at the statement, as bankers never refused money.

Sir *J. Newport* said, there was all the difference in the world between payment, which was the discharge of a legal obligation, and deposit, which was the intrusting of money voluntarily received, to be accounted for. Of course, the Bank of Ireland could not refuse money in payment, but in deposit they might. Since the union of the Treasuries of the two countries, it was the business of the Chancellor of the Exchequer, and not of the Secretary for Ireland, to be prepared with information on these subjects. It was the more important, that this separation should be attended to, as there was nothing more mischievous to the finances of Ireland than the interference of the castle government.

The *Chancellor of the Exchequer* said, it was no part of his official duty to take cognizance of the internal concerns, either of the Bank of Ireland or that of England. Those bodies were responsible to the laws, not to a minister. He had of course often occasion to correspond with both those banks.

Sir *H. Parnell* said, the Bank of Ireland had not the power to refuse payment in sovereigns, but they refused to discount for those merchants who paid their bills in sovereigns, and they discountenanced the importers of gold coin. As the Bank of Ireland enjoyed a monopoly, they should be the last to interfere with the intentions of parliament. The Chancellor of the Exchequer seemed to speak of the Bank of Ireland as of a private banking company. But, as it was a bank of deposit for the government, and enjoyed a monopoly by charter, it was impossible to submit to that doctrine, The bank had, during the late general distress, refused to make issues at the suggestion of the Secretary for Ireland, The general opinion in Ireland was, that the conduct of the bank had not been what it should be; and he was so far impressed with it, that he should probably bring the subject before the House. His opinion was, that it would be better for Ireland that the monopoly of the Bank of Ireland should be taken away, as there would be established in its stead numerous chartered banks or banking companies as in Scotland.

Mr. *Irving* said, the report, that the Bank of Ireland had refused the current coin of the realm as deposit had excited his surprise. The present situation of Ireland was, that there was no circulation but that supplied by the Bank of Ireland. He could easily believe, that it might be inconsistent with the private interests of the Bank of Ireland to issue their notes upon deposits of gold; but he thought the bank, when it considered the situation of Ireland, were bound to take a more enlarged view of the question. He certainly disapproved of the conduct which had been pursued by the Bank of Ireland towards those who imported and paid in gold coin. He would take that opportunity of putting a question to the Chancellor of the Exchequer on the subject of the issues of Exchequer bills under the late act. If he was rightly informed, the commissioner under that act felt so restrained by the terms of the enactment, that, great as was the pressure in Ireland, the country had been almost entirely shut out from the advantages intended by the legislature. In the drawing up of that bill there had been the most culpable neglect.

Mr. *Baring* contended, that government were bound to watch over the proceedings of the Bank of Ireland. The right hon. gentleman had indeed said, that it was a private corporation, over which the law, not the government, had alone control; but the bank had been incorporated for public purposes, and if it failed to promote the objects intended, then its incorporation should be reviewed. Private banks might refuse to take deposits, but neither the banks of Ireland nor England could properly decline receiving them, The latter were bound to carry on the public business of the country. The real business of the bank ought to be to receive as much coin as it could, and issue as many notes. If however, the Bank of Ireland took a different course, and meant to set their face against the metallic circulation of the country, then the legislature was bound to interfere, and prevent the intention of parliament from being frustrated. With respect to the return to cash payments, upon which so much stress had been laid, he did not attach so much importance to it as others did. His desire was rather to see the paper currency of the country regulated upon the standard of paying large sums in bullion, according to the plan of his hon. friend (Mr. Ricardo). That course he thought better calculated than any other to relieve a part of the pressure which was so sensibly felt throughout the country. When he gave this opinion, he begged not to be understood as having a wish to thwart the return to payments in coin, although he feared that some of the present evils were attributable to the preliminary arrangements for that purpose. His only reason for not proposing something for the consideration of the House with reference to his view of the subject, was, that he awaited the result of the measures now in progress for preventing bank forgeries.

The *Chancellor of the Exchequer* said, he would take an early opportunity to communicate with the Bank of Ireland. It was difficult to conceive on what principle that bank could have refused to accept of gold coin. With a view to preparing for cash payments, nothing could be more acceptable than deposits in gold, for which the bank might issue their paper. The extent of issues by the commissioners under the late act, had certainly fallen short of the intention of the legislature, and did not exceed 100,000*l.*

Mr. *Ricardo* observed, that paper in Ireland having become at a premium above the price of gold coin, persons had been under the necessity of incurring the expense of conveying gold coin to Ireland, to remedy an evil arising out of the deficiency of circulation from the failures in the south. If the Bank of Ireland had filled the void so occasioned, as it was their duty to have done, the evil would have been avoided. He was still of opinion, that the system established with regard to the Bank of England, two or three years ago, ought to be perpetuated. If the Bank contemplated paying in gold coin in 1823, as they were now by law required, they must purchase a quantity of gold for that purpose; and to this cause was to be attributed the present disproportion between the price of gold and silver. He hoped, that his right hon. friend would be of opinion, that the system now existing ought to be permanent, and that he would take an early opportunity of bringing forward a measure for that purpose.

NAVY ESTIMATES.] The House having resolved itself into a committee of supply,

Sir *George Warrender* addressed the committee on the subject of the supplies for the Navy for the present year. He stated, that a considerable diminution in the naval expenditure had taken place, partly in consequence of the reduction of 1,000 seamen, and partly owing to the diminished price of provisions. This diminution, however, was not intended to affect the exertions which were making in the cause of humanity and of science in this branch of the administration of public affairs. The hon. baronet concluded by moving, "That 22,000 men be employed for the Sea Service, for 13 lunar months, from 1st. Jan. 1821, including 8,000 royal marines."

Mr. *Creevey* said, it was his intention to oppose the vote proposed by the hon. baronet, as it was his fixed determination not to vote for a single farthing of the public money, before the estimates of the service for which it was to be employed, were laid upon the table.

Sir. *G. Warrender* said, that the hon. member, had mistaken the nature of his motion. It was not at all connected with the general estimates of the navy, which were always in the hands of members at least a fortnight before the resolutions founded on them were moved. The votes proposed in the early part of the session always related to the fleet afloat, and had no connection with either the raising or reducing the existing strength of the navy. The votes which he held in his hand related solely to the fleet afloat. It never was the custom to present any estimates of them. They were made in consequence of an order in council, enabling the king to maintain the fleet afloat; and, unless the hon. member meant to depart from all parliamentary usage from time immemorial, he would not object to his motion.

Mr. *Creevey* said, that this having been the practice of the House from time immemorial was the reason of all their distresses. It was time, that they should change their manners. He then moved, that the committee report progress, and ask leave to sit again. In this manner he should treat every resolution proposed in any Committee of Supply in which the estimates of the money were not before the House.

Mr. *Hume* stated, the great objections he entertained to the reduction of the naval force of the country, and the augmentation of the military. The increase of the corps of marines to the amount of 8,000 never could obtain his consent at a time when our military establishment was so great as it was. Still less could he countenance the reduction of our whole naval force down to the number of 14,000 seamen only. What means could they employ to man a fleet of any magnitude in case of emergency, if they went on annually decreasing this valuable body of men? It was most injurious to the interests of the navy. He would never consent to vote any money for this service, until he saw a disposition to reduce the useless and extravagant civil establishments. Before he voted any money, he must see if it was intended to reduce the number of commissioners of dock-yards and other places where they were equally unnecessary.

Sir *G. Warrender* trusted the House would not be led away by the opinion of the hon. gentleman on the subject of the increase of marines, when they knew, that it was the opinion of all persons connected with the navy, and he believed of all the gentlemen on the other side, except the hon. member himself, that it was of the greatest advantage to the public service to increase the corps of Royal Marines.

Mr. *Bennet* would not enter into the merits of the increase of marines. That would be a good question when the estimates came before the House. But he would not consent to vote a single shilling of the public money unless the estimates were placed before him first. It was time, that the attention of the House and the public should be directed to what was going on in committees of supply. It was time that an end should be put to those farces; and in order to expedite that end, he would not consent to a single vote in the dark, if the consequence should be, that the session lasted till October. The country should no longer, with his consent, be pillaged in this manner.

The *Chancellor of the Exchequer* expressed his surprise at the course which hon. gentlemen opposite thought fit to take. There scarcely was an instance in which the course of public business was attempted to be obstructed by such means. Let gentlemen refer to the journals for years back, and they would find, that, from time immemorial, the practice of parliament had been, to grant these preliminary notes without the estimates.

Mr. *Marryat* said, that the question appeared to him to be, whether the naval forces of the country at present in actual employment were to be maintained or not. The supply now asked was for men actually in service. According to all former practice of parliament they were bound to vote for the maintenance of the seamen in actual service.

Mr. *Bennet* explained, that he would willingly consent to a vote for the maintenance of those seamen for a month. But it was demanded, in this vote, for a whole year, and it was to that he objected, before the House possessed the means of judging how far it might be expedient or necessary to keep up this force.

Sir *G. Clerk* could not suppress the surprise which he had felt at the different arguments which had been advanced by those who were adverse to the original motion. The argument of the mover of the amendment had gone principally upon the ground of economy, and the non-production of the navy estimates; but the hon. member for Montrose, so far from proceeding on a similar ground, seemed disposed to complain, that a sufficient number of seamen were not voted and consequently, that a greater expense was not incurred. After the present vote was disposed of, the question would then come before the House as to the sum necessary for the provisions and the wages of that number of men. It would readily occur to them, that from the great diminution in the price of provisions, a considerable reduction of expense would take place in that department.

Mr. *Hume* contended, that no difference existed between his own argument and those of his friends. The hon. gentleman near him had called for the production of the navy estimates; the hon. member for Shrewsbury had done the same, and he (Mr. Hume) had also pursued the same course of argument in wishing to see how far the reduction in the civil establishments corresponded with the one now proposed. When he was told, that the present motion should pass as a matter of course, he would tell the House, that that would be the case, if the supply required was to pay off the expenses of the last year. But the motion was an anticipating measure, and referred to the ensuing year. He contended that our sailors had been neglected. We had ships enough, and marines could easily be procured, but we had not seamen enough even to form the germ of an armament.

Admiral *Harvey* expressed his opinion of the great use of a marine force. On that subject he concurred in what had been said by the hon. mover of the resolution, and he believed it to be true, that such was the opinion of most officers in the service, To prepare a proper corps of marines required great care and attention; for it was preposterous to suppose, that a marine could do his duty unless he had previously been accustomed to proper discipline. It would be well for the House to consider, that the navy had now arrived to a great extent, and that a corresponding increase of marine force ought of course to take place.

Sir G. *Cockburn* expressed his regret, that more professional men were not present. Had they been present the House would be satisfied, that the number of marines voted was not larger than required. It ought to be considered, that sailors were provided by the commercial navy of the country. It was true, that a disinclination existed to serve in the navy when a merchant service was open; but still, when merchant vessels could not be obtained, sailors would readily enter into the navy. Now it had been found, that the service of 1,000 men could be dispensed with, and he, in common with his colleagues, had felt it his duty to recommend a measure by which the public expenditure had been lessened. If the House should resolve to keep them in the service merely for the sake of keeping them, they would of course come to that determination; but, as their services were useless in the navy, it was certainly the duty of those, under whose department the business came, to recommend their dismissal.

Sir *F. Ommaney* entirely concurred in the propriety of keeping up an adequate corps of marines.

Mr. *Tremayne* was anxious to take that opportunity, before the estimates were produced, of impressing upon government, the necessity of turning their attention to the civil establishments of the navy, which he thought were capable of great reduction.

Sir G. *Warrender* was happy to be able to state, that a considerable reduction was contemplated in the civil establishment. He could not suffer that occasion to pass without again referring to the misapprehension under which the hon. gentleman opposite laboured. He was well aware, that that gentleman had no intention to misrepresent facts, but he could not avoid complaining of his want of accuracy, because the unavoidable inference which would be drawn by the public would be, that the House neglected the interests of the navy. Every one knew, that our armaments were supplied from our commercial navy, and that at no former period was that source so plentiful. It was that reason to which the economy prevalent in that branch of the service was to be attributed. He believed, if any circumstances should occur to require extraordinary exertions, that in a very short time a fleet of 20 sail of the line might be manned chiefly from the source which he had mentioned. The case was different with respect to marines. All the naval officers in the House knew the use of that body of men, and they knew also, that an effective corps was not raised without much difficulty.

Mr. *Hurst* said, that the House had scarcely ever come to a vote on the subject, without a regret being expressed, that more marines were not raised. He thought them a most useful and necessary body. They had always distinguished themselves in every war; and he highly approved of the augmentation.

Mr. *Forbes* complained of the reductions which had been made of the naval force of the country, and the comparative neglect with which that branch of the service seemed to be treated. For his own part he would rather see a reduction of 5,000 men in the army than 1,000 in the navy. He had reason to know, that the commercial navy of the country was by no means so well supplied with seamen as had been represented that night; and, therefore, greater difficulty than was apprehended might be experienced in manning an armament, if that should become necessary. The seamen of the navy had been thrown ashore at the close of the late war, destitute of every means of subsistence, and had been compelled to stroll in want about the streets, or to banish themselves to America or any other foreign country that would afford them protection and employment.

Sir *G. Warrender* said, that so far from the sailors being thrown on the country at the peace, 35,000 of them were pensioned, and 1,175 midshipmen had been promoted as a just reward for their services after a long war.

Mr. *Gladstone* was able to state, as a ship-owner, that in his opinion there was at present no want of seamen. No rise had taken place in the rate of wages, and that he conceived to be the best test that there was no scarcity of sailors. He was decidedly of opinion, that our commercial navy was at present greater than it had been at any former period. The trade to the Brazils had opened a new avenue for commerce, and the private trade to India was greater than it had ever been before.

Dr. *Lushington* thought, that the committee had swerved widely from the question at issue. His hon. friend had objected to the vote on the ground that he had no estimate to direct his judgment, and in the propriety of that objection he fully concurred. The hon. baronet had said, that for many years it had been the practice to vote a sum for the expenses of a certain number of seamen on the word of a lord of the Admiralty; and, if so, he thought it a practice "more honoured in the breach than the observance." It was certainly advisable, that some better mode should be adopted, and that the representatives of the people should be put in possession of a greater stock of knowledge before they came to a vote. There was another subject connected with the present vote which he could not pass over in silence. It was grievous to reflect, that the government, in the event of a war, would have to man the navy through the medium of impressment—would have to take so large a number of men from their wives and families, and force them into the naval service. Nothing but an overruling necessity could warrant a practice so repugnant to humanity, and so incompatible with liberty. It should not be looked to as an established and constitutional usage; and he thought it the duty of the Admiralty to attempt to devise a plan by which this practice might be abolished, and some other, more humane and constitutional, might be substituted in its stead. He had himself known cases in which seamen returning from the East Indies, after an absence of two years, had been seized and sent off to the West Indies, without being allowed to see their families and settle their affairs. No consideration of money should weigh with a great and generous nation, to induce its acquiescence in such a horrid system. Protection was what the country wanted, in the employment of its navy, or any other warlike force, and any sum of money should be paid for that protection, in procuring men, rather than tolerate impressment. The system was, indeed, so odious to the House of Commons, upon its first proposition, by Sir George Wager, in 1731, that the clause respecting it was rejected. He was persuaded, that any lord of the Admiralty, who should set aside that system, or provide some substitute for it, would acquire immortal honour.

Sir. *G. Cockburn* said, that all were agreed as to the evils of impressment, and that it should not be resorted to but under the pressure of an overruling necessity. To reduce that necessity, the Admiralty had done all that was in its power; for, with the assistance of that House, pensions had been granted to 35,000 seamen upon the condition of their return to the service when called upon. But, if more men should be required, and the seamen engaged in the commercial service would not voluntarily enter into our ships of war, they must be taken; for, otherwise, what would become of our fleets? Those fleets were necessary for the protection of commerce, and therefore there was a pretty good understanding between commercial men and the Admiralty upon the subject. With regard to the allegation, that many seamen were seen nearly starving in the streets of London upon the termination of the war, he was convinced it would be more correct to say, that many were seen starving in seamen's jackets; for the fact was, that out of a number received in the ships provided by the Admiralty for the relief of those persons, several were found never to have been in the navy.

Dr. *Lushington* disclaimed the intention of arraigning any set of men for acting upon an old practice. But he hoped, that as we were likely to have many years of peace, that an endeavour would be made to devise some plan for getting rid of a practice so abhorrent to humanity.

Mr. *Creevey* replied. He said, that the question before the committee was, to vote 22,000 men, including 8,000 marines, for the service of the current year. Now if that number was voted, it would be necessary to provide food and raiment for them. He therefore wished to do nothing in the dark, and asked for the papers which would explain the necessity of having so many men, and the mode in which the money to be granted would be expended. But, it was said, that this was a novel proceeding, and ought not to meet with the concurrence of the committee. New or old practice, it was one which, as the House of Commons distributed the public money, it ought to put into effect. If the hon. members opposite would not agree to his amendment, he should feel it his duty to divide the committee on every resolution proposed to it relative to the vote of seamen.

Strangers were ordered to withdraw. Not less than five divisions took place on the separate resolutions for the vote of seamen; for victualling them; for clothing them; for the wear and tear of the ships, and to supply the necessary ordnance for their use. The number of members who voted on each division, was —For the amendment on each resolution, 11; Against it 41: Majority, 30.

The House having resumed,

Mr. *Creevey* said, he had remarked on a former occasion, that if a real farce were wanted, recommend him to a committee of supply! He had to inform the Speaker, that during his absence from the chair, the committee had, within the last 20 minutes, voted away sums to the amount of 1,900,000*l*. Now there were 650 members of that House, trustees of the public money; 55 of whom only had been present during the time in which this money had been granted. There had been five divisions and the majorities by which it was voted amounted to 41, including the ministers. There was not one member who knew the purpose to which the sums voted were to be applied. He himself, although there had been five motions, knew no more than the man in the moon what was the object of any one of them. He had made an effort to know what the money was voted for before it was granted, but he had been overpowered by numbers. It was his intention to take the first opportunity of introducing a measure, which would provide another and a different course of proceeding. If the people of England would look on and see their property disposed of as it was accustomed to be, they deserved any thing that might befal them. He trusted, however, that they would not, and that the table would be deluged with petitions and demands, until such a system was eradicated from the House.

Mr. *Bathurst* said, that he had been at a loss, until that moment, to know upon what ground the hon. member had been occupying the time of the House for the last hour. The plan which he had adopted was not new, for about twenty years ago, two members of that House were in the constant practice of making similar motions.

Mr. *Bennet* thought it useless for the hon. member to speak when so few members were present, and therefore moved, that the House be counted.

The Speaker counted the House and the number of members present being only 26, the House adjourned.

HOUSE OF LORDS.

Monday, February 5.

PETITION FROM BIRMINGHAM—DECLINE OF TRADE.] Earl *Grey* rose, to present a petition from the merchants, manufacturers, and traders of Birmingham. This petition had been agreed to at a meeting held in August last. The meeting was most numerous and respectable. He was sorry to find, that the statements it contained were completely at variance with those which had been conveyed to parliament from authority, and which had, on the first day of the session, been re-asserted by the noble earl opposite, relative to the improved state of manufactures and the general prospects of amelioration. To that general improvement Birmingham certainly was an exception. The petition stated, that the master manufacturers of Birmingham could not employ their workmen for more than three or four days in the week, and that the wages not being sufficient to support them, they were obliged to apply for assistance to the parish. The remaining facts stated in the petition were of the most distressing kind. A committee had been appointed to inquire into the distress existing in the town; that committee was divided into sections, each of which investigated the state of a particular district. From the information thus collected, it was evident, that a diminished consumption had taken place in Birmingham of all the necessaries of life to the extent of nearly one-third. This diminution was particularly apparent in butchers' meat, beer, and in bread. And even this diminished consumption was supported chiefly on credit and by the workmen pledging their property. Mr. Ryland, who had canvassed Hill-street district, ascertained, that the trade of the publicans in beer had diminished one-third. Among the bakers he also found a great falling off. With the butchers the complaint was still greater. Those who formerly bought the best pieces of meat were now content with a very inferior kind. What was before considered offal, or sold only in lots, was now purchased by persons whom nothing but distress would have driven to use it. The grocers stated, that their trade was gone. The workmen had been driven to pawn their furniture and clothes for food. Linen and every thing that could be spared had been pledged, to keep up appearances. These were facts which required the serious attention of parliament. If the investigation had been carried back to the distance of five years, their lordships might have entertained some doubt whether the distress had not been occasioned by a falling off in the demand for those articles which were chiefly in request during the war; but this could not be the case, as the inquiry extended no further than to the year 1818. When he heard the noble earl, on the first day of the session, state, that a general improvement had taken place in the manufactures of the country, he had hoped, that the town of Birmingham had participated in that improvement. He thought it right, therefore, before he presented the petition, to make some inquiry on this point. The result of the information he had received was, that though there was some additional demand, as usual at this season of the year, and some increase occasioned by some speculation for the South American market, yet, that the trade of the town was, on the whole, worse than it had been at the time the petition was signed. Iron articles had undergone a depreciation of from 20 to 25 per cent; brass goods, from 5 to 15 per cent.; plated goods a similar depreciation, and various other articles a depreciation of 20 per cent. He was further informed, that the poor rates had greatly increased, and that that increase was occasioned by the reduced rate of wages. What degree of improvement might have taken place in some parts of the country he did not know; but, as to its being general he could not but entertain very great doubt. It had been said, that a considerable improvement had been experienced in Lancashire. He believed, that there was there an increase of employment and wages, which rendered the situation of the workmen in the cotton manufactories in that county better than it had been; but he was far from being assured, that the improvement in the state of Lancashire was general; on the contrary, he was convinced, that in consequence of the great reduction of prices a considerable diminution must have taken place in the manufacturing capital of that county. His doubt as to the assertion of any essential improvement rested on his knowledge of the general distress which prevailed through all parts of the country with which he was acquainted, and particularly with respect to agriculture; but, the most serious consideration of all was, that any appearance of increase in the trade of the country could not now be relied on as evidence of prosperity; for foreign commerce had assumed an aspect totally different from that which it wore in former times. It was no longer founded on a regular demand, and on orders received from abroad, but upon the speculation of what might be the demand of any new market which arose. The natural consequence of this state of things was an extraordinary excitement at one time and an extraordinary depression at another. To what this state of the trade of the country was owing was a question which might occasion difference of opinion, but it was indispensably necessary to ascertain the cause, and to that object their lordships' most serious attention ought to be devoted.—It had been stated, on a former occasion, by the noble earl opposite, that the agricultural distress had been occasioned by an increased production, which the noble earl had maintained was proved by the diminution of price. Now, he should very much doubt, that increased production was the cause of distress. It was true there had been two favourable harvests; but, so far from increased production having caused the distress, the farmers, from partaking in the general distress, had not been able to cultivate so well or so extensively as formerly. It followed, therefore, that instead of an increase, there was great reason to fear a diminution of production. He thought the main cause of the distress was sufficiently obvious. By the last Gazette he saw, that the average price of corn was between 54*s.* and 55*s.* per quarter, which was something less than 7*s.* a bushel. Now, with the taxes with which the farmers were burdened, how could they be able to cultivate the land? The effect of the excessive taxation was felt in manufactures, agriculture, commerce, and every branch of industry. The noble earl had at first maintained, that the commercial and agricultural distress was occasioned by the transition from war to peace; and next, that it was owing to the failure of the American market. This last cause was rather singularly brought forward at the very time that the Chancellor of the Exchequer was assigning another and a far more probable one in the House of Commons; namely, the measures taken for the resumption of cash payments. That the causes were various, he did not doubt; but still he held the pressure of taxation to be the principal, aggravated as it was by the present embarrassed state of the finances. The difficulties of the country, he was aware could not fail to have been increased by a vitiated currency which had been depreciated five or six per cent, and by the endeavours made to restore it to par. That endeavour had had all the effect of an additional taxation.—Having said thus much, it might be expected, that he should state, why he did not mean to move for a committee of inquiry. In the first place, the state of his health would not permit him to give constant attendance to a committee. That was a labour which he could not undergo, but he would be very willing to attend as much as he possibly could, if on the motion of any other noble lord, the House should think fit to appoint a committee. He must also confess, that though he thought the authority of parliament always properly employed, when inquiries of this kind were instituted; yet he had found from experience, that very little good arose from such investigations, unless they were undertaken under the sanction of the existing government. If he wanted any proof of this, the result of the committee which was, on the motion of his noble friend, appointed last session to inquire into the state of foreign trade, would be sufficient. After much consideration, that committee made a report on one point only; but, he apprehended their lordships were not at this moment much nearer to any adjustment on that particular point than they were last session; for he understood it was now thought necessary, by his majesty's ministers, to wait the result of the investigation of another committee, to be appointed by the House of Commons, which committee had not yet been appointed. He hoped, when the report of that committee was made, that the government would then be prepared to give a full consideration to the general distress of the country.

The Earl of *Liverpool* said, he could have no objection to the referring of the petition to the committee, for the re-appointment of which the noble marquis had given notice, or to any mode in which the subject could be fairly brought under discussion. But what he more particularly rose to notice was, a misapprehension which the noble earl had made respecting a paragraph in the Speech delivered from the throne, on the opening of the session. The noble earl had conceived, that the paragraph was so worded as to imply, that a general improvement had taken place throughout the whole country. This certainly was not the case; the words of the Speech were—" that a considerable improvement has taken place within the last half-year, in several of the most important branches of our commerce and manufactures." Afterwards, referring to the state of the country, it was stated " that in many of the manufacturing districts the distresses which prevailed at the commencement of the last session have greatly abated." There was not, therefore, in the wording of the Speech—and he was equally confident in what he had stated on the first day of the session—any assertion of a general improvement throughout the country, nor had he ever maintained, that very considerable distress did not affect the agricultural and manufacturing interests. With regard to Birmingham and the surrounding districts, he was aware, that, from whatever cause it might proceed, there was a great depreciation of prices, and consequently considerable embarrassment. But as to that important branch of trade, the cotton manufactures he would repeat, that both in Lancashire and in several districts of Scotland, a very considerable improvement had taken place. The improvement in Lancashire was not exclusively confined to the manufacturing part of the county. He could state upon good authority, that the trade of the port of Liverpool had partaken in the general amelioration.—As to the question of agricultural distress, he was prepared to discuss it whenever it should be brought forward; but, he wished to guard himself against the suspicion, that he admitted any one particular cause as the origin of that distress. On the contrary, he was convinced, that there must be many conspiring causes. And here he wished to say one word with reference to what had fallen from him on the first day of the session. He had undoubtedly said, that he considered our increased production to be one cause of the existing agricultural distress. It was, in his opinion, quite evident, that there had within these eight years been a great increase in agricultural produce. It appeared, that now, for the first time for these forty years the country had been two years without the introduction of any foreign wheat. There had in fact been no importation since February, 1819. He knew that this fact had been doubted, and that it had been supposed, that the foreign corn which was warehoused had found its way into the market. Had such been the case, his argument would fall to the ground; but a very strict investigation of the subject had been made, conducted by persons who were persuaded of the existence of the abuse; and, notwithstanding the greatest pains were taken to detect any abuse, they were at last convinced, that none of the warehoused corn had been consumed in the country. Relying on the accuracy of this investigation, he was entitled to say, that their lordships had before them the fact of the country having now been two years without any importation of foreign corn; and this fact he held to be a strong presumption of the increased production of corn in the country. There had been, he believed, an increased importation from Ireland; but the improved cultivation of that country, whatever partial disadvantages it might be attended with, could not but be regarded as a benefit to the empire in general. It was possible, that the diminished production which the noble earl apprehended, might be the means of correcting the evil; for he believed, that the great quantity of inferior land which had been forced into cultivation, when prices were high during the war, was one of the causes of the present distress. He was ready to admit, that a share of the difficulties of the country might also be owing to taxation; but, in what degree taxation operated he could not then undertake to say, though he was of opinion, that its effect had been much overrated. Their lordships would recollect, that there had already been a diminution of taxation to the extent of fifteen or sixteen millions, and yet that reduction had not removed the embarrassments complained of. That the measures taken respecting the currency of the country had also, in some degree, contributed to the distress he should not dispute. That they would have such an effect was one of the arguments used at the time by those who opposed the steps which were taken for a return to cash payments. But it was the opinion of the country, and of their lordships, that a temporary evil was to be endured, in order to obtain the advantage of a currency convertible into specie. This was not to be done without encountering some difficulty; but, that its influence was as extensive as some persons contended he could not admit. He was, as he had already said, prepared to enter into the discussion of the subject to which the noble earl had called the attention of the House, as soon as it could be submitted in a regular shape; but, their lordships would always bear in mind this important principle, that in a question of this kind, unless they could clearly see their way, to legislate at all was an evil. With regard to the result of the committee on the timber trade, to which the noble earl had alluded, he would only say, that he trusted the session would not go over without something being done on that subject. As the matter now stood, it was altogether a question of duties, but one which bore rather upon regulation than upon revenue.

The Marquis of *Lansdown* thought himself bound to notice the character of this petition. From the debt which the country owed to the industry of the district from which it came, and the great accuracy of the statements it contained, he thought it was entitled to the greatest attention; but there were some observations in it which called upon him to say a few words. It was stated by the petitioners, that since the complaints which had been made of the prevalence of national distress, no measure of relief had been undertaken by parliament, except the appointment of a committee on foreign trade. Now their lordships would recollect, that when he, in the course of the last session, moved the appointment of a committee to consider of the state of foreign trade, he stated, that he did not confine his motion to that object, because, he conceived it the only one that ought to be inquired into, but, because he conceived that remedies could best be applied to the existing distress, if their lordships' attention were directed to one branch of the subject at a time. When the noble earl opposite, suggested the expediency of referring the application of the petitioners to a committee similar to that of last year, he was bound to say, that the petitioners did not appear to pray particularly for any thing that fell within the inquiries of such a committee. They did not expect relief so much from the extension of foreign trade as from an improvement in the home market; as they thought, that the circumstances which formed the foundation of their sufferings and calamities were to be found rather in the reduction of home consumption than in the diminution of our external commerce. The noble earl had stated, and stated truly, that the distresses under which the country laboured, were not spread equally over all the branches of its industry, and that a partial alleviation of them had lately been experienced where their pressure had previously been greatest. This he was willing to allow. The town of Birmingham, with which the petitioners were connected, had experienced no relief; but in other places there had been an improvement in trade. The cotton trade in Manchester and Liverpool had materially improved. He had certain information, that there had, in Liverpool, taken place of late, a great revival of the export trade, and, that the cotton trade in particular had been restored to something like comparative prosperity. When he admitted this fact, he begged, however, to connect it with some explanation. Though the trade had been revived, and capital was again brought into activity, neither the merchant nor the manufacturer could realize that profit from their capital which they did in better times. Their capital was again employed, but not to so much advantage as formerly. A beneficial effect was produced by the activity which was excited, but that effect was not so great as when the profits of the capital employed were greater. If capitalists could realize three, two or one per cent on their capital, it was an amelioration of a state of things when no capital at all could be beneficially employed; but, profits so small could not indicate a flourishing state of trade. The noble earl had ascribed the fall in the prices of agricultural produce, not so much to diminished consumption, as to increased production; and he had referred, for proof of the truth of his doctrine, to the extended cultivation of the country, under the stimulus of war prices and the want of importation during the last two years. But, if this were the case, was it not surprising, that that effect was not felt earlier, and was felt all at once? Was it not inexplicable, on his hypothesis, that when the prices were high, the production of the country should be inadequate to its consumption; and that when they had fallen for years—when the stimulating cause had ceased to operate—there should immediately commence an excess of production over the powers of consumption? When their lordships considered this and other circumstances connected with the state of the country—when they looked to the statement of distresses on their table, and calculated the amount and pressure of taxation—they would see other causes for the complaints of the agricultural interest than excess of production: they would see grounds for believing in a diminished consumption; but, the consumption of the people was not only diminished—the quality of their food was deteriorated. The taxes had driven the labouring and poorer classes of the community to the use of lower articles of consumption than they were formerly accustomed to enjoy. Where they formerly lived on corn, a great portion of them now lived on potatoes. Thus the aggregate consumption of grain over the whole country was, by the pressure of taxation, materially diminished. If their lordships were to follow an hypothesis, in accounting for the distresses of the agricultural interests, they should form one that was consistent with fact, and that explained the appearances for which it was brought to account. Nothing could be more unsatisfactory than the one which assumed, that the country, which did not grow enough for its own consumption when prices were high, should all at once grow too much when they had fallen.—Now with regard to the propriety of referring the petition to a committee. He did not think with the petitioners, that much benefit would result from the appointment of such a committee. He had said, that the state of the home trade was more important to the petitioners than that of our foreign trade; and it might be supposed, that as an inquiry had last year been directed into the means of ameliorating the latter, so now a wise policy would require more strongly an investigation into the former. But there was this difference between the two cases—that whereas our foreign trade might be benefitted and extended by an inquiry into the policy of certain restrictions on it, and the removal of them, the difficulties that pressed upon our home consumption, however easily they might be ascertained by a committee, could not be removed. A committee in the latter case might discover the cause, but could not apply the remedy. He attributed our present pressure to the circumstance of our living so long on the capital of the country, and our being obliged now to confine ourselves to its revenue. This cause, which applied more or less to all other countries that had made similar exertions, was aggravated in this by the great amount of taxation, and this again was aggravated by the necessary and too long deferred return to cash payments. A measure which could only be effected by principles and means which, adding to a taxation already existing to an amount greater than in any other country in the world, clogged and hampered all the means which the country possessed of adapting itself to the new state of things. If he was right in his opinion, it was not to a committee that the country should look for a remedy, but to a determination on the part of its government to reduce the public expenditure by every means at its disposal; and, above all, by a determination on the part of parliament not to allow any partial interests, however powerful, to interfere with those broad principles of trade, by which alone new commerce could be created, new capital called into action, and those impediments removed, which in this, as in other countries, put a check to commercial prosperity. Much were it to be desired, that those great sovereigns of the world, assembled at Troppau or Laybach, instead of devising plans to violate the independence of nations, and establish a system of arbitrary despotism on the continent, should only meet to remove the impolitic restrictions still fastened on European commerce, and thus do more to effect that which they professed to be their object, the tranquillization of the world, which rested on the prosperity of trade, than by any military menace which they might adopt. Much towards the attainment of that great object might be accomplished by the government of this country, by the removal of the restrictions existing on foreign trade; and he trusted more to their efforts and to the suggestions of individuals to promote trade at home and abroad, than to the labours of a committee. Should, however, the present petition be referred to the Committee on Foreign Trade, far from opposing the inquiry, though he might not be able to take an active part in it, he should give it his most sincere support.

Lord *Calthorpe* could state, from his personal knowledge, that the individuals who had signed the present petition were incapable of putting their names to any facts of which they did not know the reality. He could not help hoping, as far as the foreign trade was concerned, that the committee which sat last year, and which was about to be revived, would secure to the country all attainable advantages. He was therefore glad that the noble earl who had presented the petition had not moved for a new committee, which might have the effect of distracting the labours of the old. Yet he felt desirous, that some committee of the nature proposed by the petitioners should be appointed in that or the other House. He hoped, that the public wish, expressed by numberless petitions, would induce ministers to sanction the appointment of such a committee to investigate the causes of the existing distress, or at least to afford an opportunity of ascertaining what were the circumstances which affected agriculture.

Ordered to lie on the table.

HOUSE OF COMMONS.

Monday, February 5.

AGRICULTURAL DISTRESS.] Mr. *Gooch* begged to ask the noble lord opposite, whether it was intended to bring forward, in the course of the session, any motion tending to alleviate, or remedy the unparalleled distresses which weighed upon the agricultural interests.

Lord *Castlereagh* assured his hon. friend, that he did not under-rate the importance of the subject, relative to which he had put this question. His hon. friend's question, however, was similar to one that had already been put, and to which he had answered, that it was not the intention of his majesty's ministers to bring forward any specific motion on the subject. As he had then stated, it appeared to him, that the distresses did not arise from the state of the law, in which case a specific remedy might easily be provided. At the same time, if it appeared, that it would be more grateful to the minds of the country and to the House, to institute an inquiry into the cause of the evils, he would cheerfully give it his cordial support. He should, however, feel it his duty, before the inquiry was gone into, to make himself clearly understood, as otherwise much injury might be done to the country from their going into the committee with a misunderstanding of each other's intentions and views. It would be most requisite, that the country should understand, that there did not exist any reasonable expectation of being able to provide a remedy for evils, which were dependent on causes beyond the control of the legislature. When the motion for a committee was made, he should explain his own views on the subject, and the guards with which he should desire to go into the committee.

Mr. *Gooch* said, that after the answer of the noble lord, he should feel it to be his duty to bring the matter before the House at an early period.

CONDUCT OF MINISTERS RELATIVE TO THE PROCEEDINGS AGAINST THE QUEEN.] The Marquis of *Tavistock* said, he rose in pursuance of his notice and of the wishes of many of his friends, to move a resolution expressive of the sense of that House, on the measures which had lately emanated from his majesty's government. Never had he felt so much the want of powers to embody his sentiments in language, and his perfect incapacity to do common justice to the subject which he had presumed to bring under the consideration of the House. It was, however, fortunate for him, that the discussions which that subject had already undergone in the House and throughout the country, had rendered it so plain and so completely understood by the people at large, that nothing was wanting but a resolution of that House, expressive of the strong feeling of indignation which pervaded the community from one end of the island to the other, relative to the late proceedings against the Queen. When he recollected the resolutions, which, on the proposition of the hon. member for Bramber, the House had adopted—when he remembered, that they had declared, that the proceedings, which had not at that period commenced, would be "derogatory from the dignity of the Crown, and injurious to the best interests of the empire"—when he recalled to his mind the apprehensions which that hon. member then entertained, and the hope which he then expressed, that those proceedings might turn out to be unnecessary, he was persuaded the House would agree with him, that all the fears of the hon. member had been more than verified. The dignity of the Crown had indeed suffered—the interests of the country had indeed been injured, to a degree greater than any one could have contemplated.

In the observations which he felt it his duty to submit to the House on the present occasion, it was his intention to abstain, as much as possible, from alluding to the proceedings which had taken place in the other House of Parliament, and to confine himself to the consideration of that conduct on the part of his majesty's ministers, which, into whatever society he went, he heard invariably, unequivocally, and universally condemned. It would now be seen, how far the feelings of that House were in unison with those of the country at large. It would now be seen, whether the calculations of the advocates of parliamentary reform were fallacious, or whether their opinions were grounded on facts. He would not go so far back into the subject as to advert to the best days of our now unfortunate Queen, when she was secure from persecution, or if persecuted, when she was secure of a defender. He would not contrast the present conduct of her majesty's persecutors with their conduct in the days of her prosperity, when she had the happiness of enjoying the protection of the Crown. All those circumstances had long been before the public, and the public had long formed a very strong opinion upon them. Nor, with reference to the act of striking her majesty's name out of the Liturgy, as that subject had already been discussed and decided upon by the House, would he say any thing that might weaken the effect of the arguments urged by those with whom he coincided in opinion on the question, and more especially of the powerful and unanswerable speech of the hon. and learned gentleman (Mr. Wetherell) on the other side of the House. He would just observe, however, that as he had always understood the golden rule of justice to be, that when a doubt existed in any case, it was the right of the accused individual to have the benefit of that doubt, he should always consider the omission of her majesty's name in the Liturgy as a pre-judgment, which was not only unjustifiably cruel towards her majesty herself, but pregnant, as it had since proved to be, with the most unqualified mischiefs to the country. It was a measure no less rash and impolitic than it was unjust and illegal; and, with respect to the decision to which the House had come upon the motion of his noble friend, he hailed it as the first bright omen of that reform which he had long been convinced must sooner or later take place. He sincerely hoped, that he should see their table covered with petitions for reform from every parish in the kingdom, and that the result would be, such a change in the representation as might make the House of Commons no longer the obedient instrument of the servants of the Crown, but render it the legitimate and invariable organ of public opinion.

He would pass on to the next manifestation of the hostility of his majesty's government to the Queen. He meant the production of the green bags. He would ask the noble lord opposite and his colleagues, whether, when they laid before the two houses of parliament those green bags, filled with the most degrading and obscene charges against her majesty, they did or did not believe, that the evidence was sufficient to substantiate the accusation? If they did not believe, that the evidence was sufficient, they were guilty of little less than treason to the king, to the Queen, and to the country. If they did believe, that the evidence was sufficient, they were, if possible, still more guilty: they had disregarded the honour of the Crown and the interests of the public; for they said in effect to the Queen, "We have in our possession, proof strong as holy writ, of a degrading intercourse having subsisted, and of a most licentious course of conduct having been pursued by you; but, if you will do as we wish you—if you will consult our convenience, by staying abroad—we will give you 50,000*l*. a-year of the money of the people of England, to squander in a manner which we know will be dishonourable to the British Crown, and disgraceful to the British nation." In the course of the proceedings which had taken place in the other House of Parliament, the country had seen most extraordinary and disgusting things. It had seen the public accusers of the Queen of England sitting in judgment upon her; it had seen those, who had already stigmatised her as a criminal, sitting as judges and jurors in her cause; it had seen those who were deeply interested in her conviction, exerting themselves to obtain it. Was that becoming? Was that a tribunal before which any individual, under similar circumstances, would wish to be brought.

Without going over the whole of the anomalous proceedings which took place on that occasion—without adverting to all the means of indirect policy which were continually resorted to, it was impossible for him to refrain from expressing the disgust which the details, that day after day were elicited, excited, and his conviction of the irreparable injury to the morals of the country, which the circulation of those details must inevitably inflict. When, however, the bill of Pains and Penalties was withdrawn from the other House of Parliament, the country undoubtedly expected, that with the abandonment of the bill, which the prime minister felt himself compelled to move, the question, as one of hostility towards her majesty was set at rest for ever. But, now they were told, that her majesty was not to be restored to all those rights and privileges to which she was justly and legally entitled. The noble lord opposite talked of a "technical acquittal!" His majesty's ministers, having been compelled, by the strong expression of public sentiment, to withdraw the bill of Pains and Penalties, now presumed to act against her majesty, as if that bill had passed both Houses of Parliament, and had become a law. Of all the pernicious doctrines he had ever heard, that which justified the practice of attempting to whisper away the character of any one who had been tried and acquitted, appeared to him to be the most obnoxious and monstrous. What security could any individual in the country possess, if such a doctrine were once to be tolerated? He protested most strongly, therefore, against this new principle of justice maintained by the noble lord, who, after the legal acquittal of her majesty, took upon him to say, that that acquittal was merely a technical acquittal, because the evidence had made an impression on his mind opposite to that which it had made on the minds of the nation. He trusted, that this novel doctrine would not be engrafted into our constitution; he trusted, that we should adhere tenaciously to the old English maxim, which presumed every accused person to be innocent until he was proved to be guilty. And, if there was any one individual to whom the benefit of that maxim ought more assuredly to be extended than to any other, it was the illustrious person whose conduct was in question. The noble lord, however, said, that her majesty was criminal, and in the same breath he proposed to give her 50,000*l.* a-year of the public money! Instead of making her any allowance, her majesty, if the charges preferred against her by the noble lord and his colleagues were well founded, ought to have been impeached.

But it was evident, that her majesty's prosecutors, having entirely failed in substantiating their allegations, were now busy in endeavouring to destroy her character by dark hints and unjust insinuations. The language now held by his majesty's ministers was very different from that which they held before the commencement of the proceedings against her majesty. The House was then told, either that the bill must pass, or that her majesty must enjoy all the rights and privileges which undoubtedly belonged to her as Queen Consort. It was now, however, asserted, that though the bill of Pains and Penalties had not passed, yet, that her majesty ought not to be re-instated in her rights. Was such temporising conduct—were such principles, varying and fluctuating from day to day to suit the circumstances of the time, worthy of statesmen? The time would come, however, when all these shifts would prove unavailing. The time would yet come when her majesty must be restored to the possession of that dignity, and of those rights of which she ought never, for a moment, to have been deprived. The charges which his majesty's ministers had ventured to prefer against their royal mistress ought never to have seen the light. In his conscience, he believed, that their conduct had been in direct violation of their own better judgment. They had dragged the most illustrious persons in the empire through the mire. They had done irreparable injury to some of our most valuable institutions. They had introduced political animosity even within the sacred walls of the church. Of this, he had witnessed instances in his own neighbourhood. For the sake of retaining office, his majesty's ministers had brought the constituted authorities and the church into jeopardy, and almost into contempt. For the sake of retaining office, they had made, what he feared was an irreparable breach between the prince and the people. And all this mighty mischief they had perpetrated without the slightest shadow of a pretence of necessity. If there was a man in the House who could conscientiously lay his hand on his heart and declare, that he believed there was any necessity for the proceedings which had been instituted against her majesty he should be very much astonished. Of this, he had no doubt, that the personal feelings of his majesty had been much misrepresented; and, indeed, one of the worst features of the whole transaction was, the abuse which had been made of his majesty's name. All kinds of whispers and hints had been resorted to by the advisers of the Crown, to get rid of their responsibility. Was that fair? Was it manly? Did they do their duty to their sovereign by thus endeavouring to shuffle off their constitutional responsibility from themselves? To all this, he supposed, they would make their accustomed reply—an overwhelming majority, in defiance of the declared and universal sense of the country, and in contradiction, as he firmly believed, to the private sentiments and conviction of almost every man in the House. If that should be the case, he wished the noble lord much joy of it. He should thenceforward feel very little inclination to give the noble lord any trouble; seeing that the House of Commons, constituted as it at present was, considered the will of the noble lord to be every thing, and the sense of the people to be nothing.

He would trespass very little longer on the patience of the House. He would leave it to those who would follow him in the debate, and especially to his hon. friend, the member for Durham, who had given him hopes, that he would second his motion, to do that justice to the subject of which he felt himself incapable. He had endeavoured, as briefly as possible, to represent the gross injustice and impolicy of the proceedings against her majesty. Recollecting what had been predicted with respect to those proceedings, and how completely the prediction had been verified, he had endeavoured to impress the House with the necessity of immediate interference. He very readily assured the House, that his object was not merely to obtain an expression of their sense of the late proceedings against her majesty, but to drive the present ministers from power; not for the paltry and miserable object of putting his own friends in their places, but, because he hoped, that if there were a change of men there would be a change of measures. For any other purpose he had much rather see his friends where they were, than in situations which a long course of misgovernment had rendered very far indeed from enviable. As for himself, he had no personal object whatever in view; he felt so wholly unqualified and so utterly unfit for business, that he had long made a fixed determination not to accept of office under any administration. A seat in that House was valuable to him only as it enabled him to perform what he considered to be his duty to the public; and he would, with great willingness, retire into the ranks of private life, seeing, that in that House public opinion had less influence than perhaps in the legislative assembly of any nation in Europe.

He must apologise to the House for having troubled them at such length. Of this he could assure them, that warmly as he was attached to his friends around him, and great as was the deference which he was accustomed to pay to their judgment, if his motion were to prove successful—if they were to come into power to-morrow, and if they were to attempt to remain in power, without endeavouring to do something which should put the principle of reform into action, he for one, would cease to support them. To the people it was a matter of indifference in what hands the government was placed, provided the freedom and happiness of the country at home, and its honour and character abroad were duly consulted; and provided, that a spirit of conciliation towards those who were at present justly discontented, and a spirit of justice towards her who was now unjustly persecuted, were openly and unequivocally manifested. If a disloyal and disaffected disposition did actually prevail in the country, to whom was it attributable? When had it commenced? Who did not recollect with what patience, and even cheerfulness, the people of England had long born the oppressive burden imposed upon them? Their conduct in the circumstances in which they had been placed, could never be sufficiently admired. Their temper and forbearance under their various difficulties, could be surpassed only by the generosity which had stimulated them to step forward with one accord, in the protection of a defenceless woman. The noble lord had announced his intention of meeting the motion with a direct negative. The eyes of the whole nation were at that moment fixed upon the House of Commons. Justice was loudly demanded from them; and, if they wished to preserve even a remnant of character, they would not hesitate to grant it [hear, hear!]. The noble marquis concluded with moving:—

"That it appears to this House, that his majesty's ministers, in advising the measures which have led to the late proceedings against her majesty the Queen, were not justified by any political expediency or necessity; and that their conduct throughout the whole of those proceedings has been productive of consequences derogatory from the honour of the Crown, and injurious to the best interests of the country."

Mr. *Lambton* said, he rose to second the motion—not only because he concurred in the sentiments so ably, so feelingly, and so eloquently expressed by his noble friend, but, because he thought it necessary, after what had taken place, to pursue measures of an entirely different character, by which alone the present ferment could be allayed, and those constitutional principles restored which had been violated by the noble lord in the very commencement of those proceedings. The knowledge he had of his noble friend's independent principles—the knowledge he had of his hereditary love of freedom—would induce him to second any proposition made to the House by his noble friend, without stating his own sentiments on the subject—secure, as he must always feel, that, in following the course pursued by his noble friend, he never would be in danger of doing any thing injurious to the rights of the people, or detrimental to the just interests of the Crown. But, on this occasion, his constituents would perhaps complain if he did not repeat, in that House, the same sentiments which he had addressed to them when publicly assembled; and he could assure the House, that he would request their attention but for a very short time. It would be unnecessary for him to remind the House of the circumstances in which the late proceedings originated. It now appeared, that ministers, with the full knowledge of the matter submitted to the consideration of the secret committee, and also with the full opportunity of a personal examination of Majoochi, who had, as he himself admitted, visited at Carlton-house on the day of the late king's funeral—namely, on the 21st of February—(Hear, hear!)—it now, he repeated, appeared, that with all this knowledge on the part of ministers, and five days after Majoochi had appeared in Pall-mall, the noble lord opposite did not hesitate to declare in his place in parliament, that no "harshness or inattention" was in his contemplation; and, that no impediment should be thrown by his Majesty's government in the way of a suitable provision for that, "illustrious personage," the term then applied by the noble lord to her majesty. This declaration was made with the full knowledge of the facts since disclosed, and the opportunity of a personal examination of Majoochi. He meant to make no mistake either in dates or circumstances. He could assure his majesty's ministers, that he meant to canvass their acts fairly, and if, in doing so, he fell into error, he begged to assure them, that such error would be unintentional.

In February last, the noble lord openly declared, in parliament, that his majesty's government meant to place no impediment in the way of a suitable provision for her majesty; and indeed, the Queen herself seemed to give them some credit for this, when in her letter from Rome she notices and complains of the omission of her name in the Liturgy.* These sentiments of ministers were not only avowed in February, but the right hon. the Chancellor of the Exchequer, in answer to a question from a noble lord (A. Hamilton) on the 9th of May, also declared, that a suitable provision was necessary for her majesty.* It soon, however, turned out, that all these expressions of consideration for her majesty's establishment—all these manifestations of respect for her station, and kindness for her character—were dependent upon the Queen's staying away from England. The moment the omission of the Queen's name in the Liturgy compelled her majesty to announce her intention of coming over to England to assert her rights in person from that unprovoked and uncalled-for attack—from that moment all the promises of ministers became a dead letter. It was then that lord Hutchinson was deputed (by whom nobody knows, for the ministers have never disclosed that information) to convey to her majesty a proposition, which, on the one hand, levelled threats of the most serious import against the Queen if she ventured to touch the British shore; and, on the other, offered her a bribe of 50,000*l.* a-year, without molestation or exposure, provided she resided any where upon the continent, and dropped the title of Queen, and name and style of any of the royal family of England. In this extraordinary and inconsistent offer, it would be seen, that there was no allusion to any alteration in her majesty's conduct during her future proposed residence abroad; no conditional clause, that the bribe or the provision should depend upon an abandonment of practices and habits which were calculated to compromise the dignity of the Crown, and affect the interests and morals of the country [Hear]. But the excuse alleged for this inconsistency was, the obligation they were under, to protect the dignity of the Crown, and the interests of morality.—How then did they effect this? He entreated the House to mark this part of the conduct of ministers. They professed themselves to be, at that moment, in possession of evidence of the conduct of the Queen, when princess of Wales, on the Lake of Como, in 1814, which was of such a nature, that in 1820, it was derogatory from the dignity of the Crown, and injurious to the interests and morals of the country [Hear, hear!]. How did they propose to abate the evil to which they attributed so baneful an effect? Not by removing the Queen from the scene of her alleged misconduct—not by placing her at a distance from the alleged object of her imputed guilty attachment; but, by denouncing threats against her life if she removed into a country where it was impossible (assuming she were guilty) she could continue that improper career which was represented as furnishing so pestiferous an example, and by giving her a splendid bribe, on the express terms, that she should remain on the spot which, according to their representations, had been the scene of so much profligacy and indecorum, and where alone she could continue it unnoticed and unmolested [Hear, hear].

---

* See Vol. 1, p. 1317.

* See Vol. 1, p. 242.

In reviewing the conduct of his majesty's ministers at that period towards her majesty, he could not help saying, that in his mind, nothing could exhibit a baser tissue of hypocrisy. If the information upon which his majesty's ministers acted, were worth any thing, and they thought the conduct of the Queen was so productive of immoral example, that it could not be passed over in silence, then, in common consistency they should have gone straight on with their charge, instead of making it the object of improper compromise. They never should have given way to motives of personal convenience—(although such motives were, he believed, to them every thing)—they should never have admitted the idea of any compromise from the moment the Queen avowed her determination to confront her accusers in England. They should have met her majesty's declaration of her determination to return, by the appointment of an open and fair trial according to the recognised principles of law and the constitution. This they should have done, if the case appeared to them according to their own showing, instead of having proposed a compromise, and offered a bribe which must, if successful, have rendered vice and immorality triumphant, by supplying the best and most certain means of indulging both in shelter and in safety. The Queen, however, by her conduct, defeated those mean and hypocritical attempts. She landed in England in indignant defiance of them, and her journey from Dover to London was one continued scene of triumphant acclamations on the part of the people of England, whose morals and interests she was represented to have compromised. No voice from one end of the country to the other was raised for an inquiry into any conduct of the Queen—no petition was transmitted to either House of Parliament upon the subject—not a whisper was heard to insinuate the necessity of that inquiry which his majesty's ministers deemed so indispensable to redeem the public morals of the country. To these attempts on the part of his majesty's ministers, the Queen opposed the most constant, consistent, and undaunted resistance; she throughout asserted her own character, and defied the hatred of her enemies.

It was impossible for him, in any view which he could take of this lamentable transaction, to justify the proceedings adopted by members; they were throughout senseless and inconsistent. Where was the state necessity upon which they declared they were compelled to act? Let them show it, and put it in any form to the test of consideration. The charges against the Queen, then, consisted of nothing but rumours. Ministers at the time knew, that their own depositions—those depositions upon which they were prepared to rest their cause, did not relate to any imputed misconduct of the Queen of later years. They pretended to have no evidence against her during the last three years of her residence abroad: her time of life forbad any notion that the interest of the succession could be disturbed by any spurious issue; any idea of that kind was impossible. Ministers must have known all this, and it was quite impossible, but, that they must have been equally sensible, that any public attempt to degrade the Queen would call forth the opposition of the public, and necessarily lead to the agitation of the most irritating topics, at a moment when they ought to have been peculiarly avoided. That this must be the result could not have failed to be obvious to any reflecting mind; unless it could be supposed, that the people of England would abandon their wonted generosity of character, and would have deserted a forlorn and unprotected woman who was assailed and ready to be overwhelmed by powerful oppressors. He was therefore utterly at a loss to see in what manner ministers could press the plea of state expediency into their justification. State expediency, if it meant any thing, meant the necessity of pursuing a particular object which was for the public good by means consistent with the end in view, essential for the well-being of society, and calculated to unite the maintenance of the dignity of the Crown and the interests and honour of the people. Had ministers pursued any such state expediency in their late proceedings?

Had they consulted the dignity of the Crown, and the interests of the people? As to the mode of proceeding which they had adopted—the bill of Pains and Penalties—he did not go the length of denying, that such bills were actually unprecedented; he did not mean to say, that they might not be justified upon a paramount and imperative state necessity; but he would say, that nothing short of that paramount and imperative state necessity could justify such a proceeding. Upon no other ground than such a powerful state necessity could a bill of Pains and Penalties be supported. Such a proceeding was in its nature against the best principles of the constitution, which pronounced, that the legislative and judicial functions ought to be kept separate—that the offices of prosecutor, juror, and judge were incompatible [hear], and that a bill was not reconcileable with the principles of British law, the preamble of which declared the crime and then enacted the punishment.

He had endeavoured to prove, that no reasons of state necessity or even expediency called for any trial of the Queen; the only excuse, therefore, for the invasion of the constitution by that bill fell to the ground; and the measure remained exposed to all the odium of being uncalled-for by any principles of policy—but of being contrary to the dictates of justice, and instituted apparently from motives of a vindictive nature, because the Queen had returned to her adopted country from which no law had exiled her. Bad as was the principle of that bill, vindictive and unjustifiable as was its application, the circumstances which led to it and attended its progress were equally inconsistent and extraordinary. On the 7th of June two green bags were brought down to both Houses of Parliament. The House of Lords (he understood, for he could have no parliamentary knowledge of the fact) were so enraptured with their green bag, that they could hardly for a moment be induced to keep their hands from opening it. The House of Commons, however, had not the same anxious curiosity, and showed a distaste for investigating the contents of their bag; and the hon. member for Bramber (Mr. Wilberforce) introducted a motion upon the subject, and expressed, in very strong terms, his opinion upon the evil tendency of such an investigation; and, more especially, the great danger to the public morals which was likely to arise from the exposure of such disgusting details. Proceedings being stayed upon the honourable member's motion, negotiations were immediately opended with her majesty the Queen. Ministers, on that occasion, offered an ample provision to the Queen, and the fullest recognition of her royal dignity in several of the privileges which it conferred; but the Queen again firmly and promptly rejected all compromise, and the negotiation in consequence of that rejection was eventually broken off. Then came the resolution, avowedly to prevent in that House the opening of the green bag. The hon. member (Mr. Wilberforce), in moving it, he well recollected, had used this expression—that if a smile were on his lips at the term, green bag, there was a pang in his heart while there was any prospect of its being opened. In the majority concurring in the honourable member's resolution on that memorable night, were to be found his majesty's ministers. So that it was the recorded parliamentary opinion of ministers, that this inquiry ought, if possible, to be stayed: they had already shown the strongest desire to stifle it, if the Queen could be prevailed upon to remain where she might continue at will the immoral conduct which they ascribed to her. It was a strange spectacle to behold the same ministers who had, in the first instance, issued a commission to obtain evidence against her majesty—who then offered to stifle all inquiry, provided her majesty would remain abroad, and who, on her majesty's despising their menaces, and bravely and nobly appealing to the people of England, instantly commenced a hostile proceeding against her—in fifteen days from that last event, concur in a parliamentary resolution, that a continuance of that proceeding would be derogatory from the honour of the Crown, and injurious to the best interests of the country [Hear, hear!]. Was such weak and vacillating policy calculated to maintain the dignity of the country, to assert the principles of justice, or to preserve the tranquillity of the country? Directly the contrary.

Nothing could be more false than the plea, that the bill was called-for to uphold the morals of the country. So far from its having had any such effect, the proceedings under that bill had done more to relax the strict system of morals which had happily so long pervaded this country, and alienate from the people, the affection which they were wont to bear to royalty, than any other measure which had occurred in modern times. It rudely tore that veil which hid the private actions of the monarch from the gaze of too scrutinizing eyes, which concealed from the public eye his participation in the frailties and weaknesses of their common nature, but which, when exposed subtract from the respect and veneration which form the chief ornaments and protection of royalty—that veil had been rudely torn off, and the assumed records of past transactions were brought to light, which otherwise would have been suffered to sleep in oblivion. The print-shops were ransacked for emblems to call into public view the represented records of past anecdotes, which would have else mouldered in the obscurity in which they lay, were it not for the rude removal of that veil which had hitherto formed a part of the decent drapery of royalty. And if this recrimination, which the public appetite had called forth against a person whose name should ever be held sacred, was not adopted by that individual who was, from the malignant extent of her wrongs, of all others the best entitled to adopt it, that House should recollect, they owed it to the principle of her forbearance —to the forbearance of that lady, who was, nevertheless, the object of unmanly taunts, but who, if she had adopted the recrimination to which she might have resorted at that critical period, would, he verily believed, have involved this country in all the horrors of civil convulsion.

But, although the Queen had refrained from retorting recrimination, great moral injury had been inflicted by the exposure of the evidence for the prosecution. He would appeal to every honourable member who heard him, if it had not become the duty of every protector of a family to keep from their eyes the news-papers containing the disgusting details of the trial—details which disclosed obscenity, that, if it had not been thus forced into sight, could never have entered into the minds of any persons, except, indeed, those filthy beings who uttered it. Who were the witnesses upon whose faith ministers called for the condemnation of the Queen upon their own detestable story? Discarded servants, boatmen, chambermaids, waiters—all of them of the worst character. Impure as was the source from which the evidence came, the defective and rotten state of its character formed the most serious charge against ministers in the whole proceedings. Why not have examined into the characters of these witnesses? It might have been done as easily as to swallow their corrupt tales. At the period when this obscenity was alleged to have been committed, the Queen had respectable persons in her household. Why were they not examined as well as the others, if the inquiry were meant to be proper and complete? Was treachery on the part of some of her majesty's household to be the only recommendation capable of engaging the confidence of ministers? and was fidelity of character and respectability of station to be alone proscribed by them when truth was to be developed? The public were naturally disgusted at the nature and character of the evidence, and of the witnesses who gave it. They saw in the progress of the proceedings—and there he agreed with them—evident traces of a conspiracy to dethrone and degrade the Queen of England, by subornation and perjury. They saw in the acts of the Milan commision, the operation of a power, exercised, not for the elucidation of truth, but for the discovery of accusation. The public looked with great suspicion and distrust at the whole proceedings of that Milan commission; and every petition, from one end of England to the other, contained a call for that inquiry into its conduct, which, ere long, he hoped to see take place [Hear, hear!].

He doubted not, but, that the noble lord opposite would attempt to defend and justify his measures; not on their own intrinsic merit, but on the comparative demerits of those opposed to him in that House—that he would assert with that confidence, which peculiarly belonged to his character, that the late proceedings were infinitely more just towards the Queen, than those adopted in 1806—on that head he (Mr. Lambton) should not be unwilling to meet him in argument. But that was not the question—for, even supposing the noble Lord's assertion were correct, the people of England would not, nor could not concur in comprehending how one act of injustice could be brought to justify another. If the proceeding was in itself bad, it was quite enough to call for their unqualified condemnation of it, however often the evil might have been inflicted. In his review of these censurable proceedings, he should not trouble the House with any reflections upon what had passed in the House of Lords; for ministers could not perhaps be held responsible for what had passed before that tribunal, however fortunately it happened to concur with their view of the subject. He should therefore overlook the treatment of the Queen, by the refusal to her of a list of witnesses—the rejection of her demand of a specification of charges—the abstraction of witnesses—the interference of German courts—and the other gross injuries which, to borrow for once the phraseology of the noble lord opposite, were the additional "features of" this detestable case [Hear, hear]. If ministers were not responsible for these acts which so much aggravated the treatment of which the Queen had a right to complain, they could not shrink from the responsibility they had incurred by the late ungracious prorogation of parliament. For that act he held them deeply responsible. Was that the manner best suited to maintain the kingly dignity to the first parliament after his majesty's accession? Was that the way to repay the confidence of that parliament which had so liberally, perhaps profusely, furnished the Civil List? Was it by a cold and repulsive dismissal that the king was to be advised to acknowledge the first step of his parliament to administer to his state and dignity? Above all, was it constitutional, was it proper, that ministers should, upon the failure of their own plans, endeavour to make the sovereign a party personally identified in their proceeding and equally disappointed in its result? To represent the sovereign as directly participating in the personal feelings of his ministers was most unconstitutional—it was quite at variance with the spirit which ought to direct a British ministry. The constitution wisely provided, that the interposition of the sovereign should never appear to the public eye, except in the benignant exercise of a generous and humane feeling, of acts of grace and favour. It was wisely ordained, that, for the acts of severity which belonged to the due administration of justice, the ministers of the king should be held responsible, while for the extension of mercy he alone should be considered as the dispenser of that attribute. Why then had ministers, in their advice to the king, as well as their treatment of parliament, abandoned or rather reversed, this salutary doctrine of the constitution, which was so well calculated to secure to the Crown the respect and affections of the people? Why was this step taken at a moment when the public voice calling for grace and favour to the Queen had penetrated the walls and influenced the decision of that very body which, for a variety of reasons, was considered less accessible than any other in the state to the influence of the popular voice? Why, then, at such a moment was the king advised to treat her majesty as if she had been guilty, when no branch of the legislature had yet legally pronounced that verdict against her? [Hear, hear.]

It was in vain to say, that the bill might be considered as carried in the other House. The ministers must stand or fall by their own measure: they had selected the proceeding by a bill of Pains and Penalties, and by the fate of that bill they must now abide. Indeed, one of them had said, during the former discussions in the House, that he saw no alternative between the inquiry into the conduct of her majesty, and her admission into the full enjoyment and exercise of her rights and privileges as Queen Consort. He now called upon that minister to admit her majesty to the rank which she claimed by right, now that the bill against her had entirely failed. Why not now restore the Queen's name to the Liturgy when the proceedings furnished no justification for its omission? The public saw, with deep regret, their churches rendered accessible to party spirit; and that the Queen's name was deemed unworthy that place in the Liturgy, to which the law and usage of the constitution, as well as the principles of justice, fully and unequivocally entitled it.

He begged pardon for trespassing so long upon the time of the House. He seldom troubled them; for it was rather his desire to explain his sentiments to his constituents when he had an opportunity of meeting them, than to press them upon the unwilling attention of the House, where he knew they were addressed to an adverse majority. He could not however, on the present occasion, refrain from declaring his opinion, that the conduct of his majesty's ministers had been throughout indefensible—that the bill they had instituted against the Queen was in its principle unjust, inexpedient, and uncalled-for, and in its consequences most prejudicial and dangerous to the personal liberty of the subject and the general tranquillity of the state. These sentiments he held in common with the great majority of the people of England —of that people who had, not like the framers of loyal addresses, gone into corners to arrange their proceedings in secrecy and darkness, but which secret and private addresses, by the way, much as they had been relied upon, said not one word against the Queen, nor one for his majesty's ministers. No; not a word having reference to either could be found in all these essays of loyalty and devotion and implicit and servile obedience [Hear]. The decision of this night would inform the people of England at which side that House meant to throw its weight—whether with the people and their constitution, or with the loyal addressers and their unknown advisers. As an advocate for reform, he perhaps might wish, that the decision to which they would shortly have to come were against the motion which he had now the honour of seconding, for then it would be a corroboration of the fact upon which he meant to found the necessity of a future motion of which he had given notice—a fact of which he had himself been long convinced, namely, that that House had not a proper sympathy with the public feeling of the country. But, when he looked at the injurious effect which must ultimately attend a rejection of the public petitions—when he reflected how surely such a vote would exasperate the already excited feelings of the country, and produce a feeling of desperation, arising from the certainty, that no relief could ever be expected from the justice and impartiality of parliament, which might lead to the most alarming and dangerous consequences—he should most earnestly pray the House not to furnish a corroboration to his opinion of their want of sympathy with the people, but to accede to the just request of the country, and heal those wounds which had been inflicted by a course of impolicy and injustice.—The hon. gentleman, in conclusion, repeated his apology for having trespassed so long upon the attention of the House, and stated, that in laying before them the grounds of his opinion upon the public conduct of his majesty's ministers, he had carefully abstained from any personal attack, and urged the impolicy of their conduct upon the broad grounds of constitutional argument [Loud cheers from both sides of the House].

Mr. *Bathurst* said, that neither he nor his colleagues could complain of the manner in which both the noble mover and the hon. seconder of the resolution had brought forward their attack upon the measures of his majesty's ministers. It was quite clear, that the object of the present motion was;—first, the removal of ministers, and then, as a necessary consequence, a reform in parliament. He must lament, that, in the invidious task which he had undertaken, he must necessarily discuss topics from which otherwise he should most anxiously refrain. He could assure the hon. gentleman who spoke last, that in defending the recent conduct of ministers, he had no intention of justifying it by any rule of comparison with any thing that had been done on a former occasion; for the circumstances might be totally different, and, as had been well said, one act of injustice (if there was one) could not justify the committal of a second. With reference to the conduct of her majesty, as it had been related by persons of respectability who had visited the continent, and which had been represented to have been carried to the utmost possible length of impropriety—was that a matter so unimportant as not to be worth the attention of government? Could any thing be more proper when such accounts were transmitted to this country, than to institute an inquiry into their nature—always supposing such inquiry to be properly conducted? [Hear, hear, from the Opposition benches.] He knew that the bulk of the people entertained a different opinion upon this question from that entertained by the higher classes of the community, whose means and opportunities enabled them to form a more accurate judgment upon facts. The Milan commission was composed of persons of great honour, and who were utterly free from any bias or motive which could unduly influence their opinion. Had this commission declared, that there was no foundation for the accusation, then of course it would have fallen to the ground; but when, on the contrary, it disclosed such a mass of information as, in any private case, would imperatively call for further investigation, he must contend, that ministers were bound to submit the case for ulterior inquiry. When her majesty declared her intention of coming to this country, as if there was no charge to be made against her, and assumed the highest ground of innocence, claiming all the rights and privileges of Queen Consort, it was the first object, as it was the duty of ministers, to take every means of preventing an injury to the morality of the country; and in this they were sanctioned by the subsequent vote of that House. They endeavoured to prevent the investigation from coming on, by proposing to her majesty what, under all the circumstances of the case, they conceived to be a proper pecuniary allowance, provided she would consent to remain abroad; and, at the time this offer was made, his majesty's ministers certainly had reason to believe, that it would not be refused. Her majesty's setting foot on English ground was not in itself charged as an offence; but by that step she placed herself in a situation which compelled ministers, either to bring forward the charges, or to concede to her all the rights and privileges to which she would have been entitled if no ground of charge had existed. Ministers felt confident, that they had gone as far as they could to prevent the necessity of making the charges, but they were also confident, that they had then no alternative. With regard to the resolution of that House, which had pronounced that the investigation would be "derogatory from the dignity of the Crown, and injurious to the best interests of the empire," he denied, that it expressed any opinion to the effect, that if her majesty refused to comply with the suggestion of the House, there should be no proceedings instituted at all: that he was sure, could not be the opinion of his hon. friend (Mr. Wilberforce) who moved the resolution, or of the large majority of the House who agreed to it. If it were laid down as a principle in legal and judicial proceedings, that no trial should take place which might be attended with injurious effects, there would be an end to the administration of justice; for there was scarcely any trial, particularly in criminal cases, that did not do some injury. In some instances, the very knowledge of the arts by which certain crimes are committed was attended with evil to the public. But, the question in such cases was, whether circumstances which might prove injurious to the interests of morality were to be disclosed, or whether the interests of justice were to be neglected? It was evident, that in a case of divorce, there was no power of selecting evidence: he who sat as a judge must listen to all the evidence offered, and must go into disclosures, though they might be not only unpleasant and disgusting, but in some degree injurious to morality.—The right hon. gentleman then proceeded to argue that the House of Commons had lent themselves, in the most honourable manner, to the arrangement proposed by ministers before the Queen's arrival in this country; since they had themselves proposed an amicable adjustment on the very same principles. He reviewed the terms proposed to her majesty during the negotiations that were conducted after her arrival in England, and contended, that she might have acceded to them without any compromise of her honour, as the green bag had not then been opened; ministers had only offered to do that which they expected parliament would have confirmed, and that, which by a vote of that House a few nights ago, had been more regularly done. It was necessary for him also to say, that when ministers had made that offer to her majesty, they had every reason to think, that it would not have been unacceptable. But, when that offer had been rejected, government still feeling unwilling to proceed to extremities, supported an address to her majesty, which the House in its wisdom and its moderation, agreed to. But the Queen rejected the advice of that House, and nothing remained but the proceeding by bill, which, under all the circumstances, he contended was as unobjectionable in its nature as any other proceeding that could be possibly adopted. The right hon. gentleman observed, as to the proceedings in the House of Lords, that the circumstance of the ministers of the Crown taking part in the votes on that bill, if it was a vice, was a vice inherent in all parliamentary proceedings, and was not chargeable on the proceeding by bill alone; that by waiting while the House of Lords appointed their secret committee, the House of Commons had recognised the propriety of proceeding, if at all, by bill, as it could not be imagined, that the House should wait until the House of Lords entered into the preliminary investigation, and that the Lords should then send the case down to the Commons for an impeachment to be commenced. The hon. gentleman opposite had said, that though the Queen had been tried and acquitted, she was still deprived of her rights; but this he denied. By the failure of the bill she became entitled to the enjoyment of all her rights as Queen Consort, and every right she accordingly enjoyed; but there was a wide distinction between matters of favour and matters of right—a distinction which the hon. gentleman overlooked when he represented, that she had a title to the insertion of her name in the Liturgy. With respect to what had been said about the result of the proceedings in the other House, he must contend, that the third reading of the bill had nothing at all to do with an acquittal: the question of acquittal was decided in the first stage after the hearing of the evidence. He repeated, that in all bills of divorce the truth or falsehood of the allegations contained in the preamble was decided on the second reading. He contended, therefore, that the vote on the second reading of that bill did pronounce on the guilt of the party, as far as such a proceeding could be called a trial; but the subsequent stages of the measure referred only to the punishment to be annexed, and had nothing to do with the question of guilt or innocence. The hon. gentleman who spoke last, had said, that the abandonment of the bill amounted to an acquittal; but, how was this to be reconciled with the declaration, that it had been abandoned in consequence of the strength of public opinion? Did the gentlemen who stood forward as the friends and advocates of the Queen mean to say, that she had been acquitted on grounds of expediency, and in deference to public opinion, rather than on the ground of her own innocence? How happened it, that honourable gentlemen should call for the restoration of the Queen's name to the Liturgy as a mark of respect, not to call it of honour, merely on the ground of a supposed acquittal, while not one of them asserted his own conviction of her majesty's innocence? They seemed even to avoid the question as to the purity of the individual. He did not mean to say, that gentlemen might not be found, who would go as far as to maintain her innocence, but they were rather an exception to the general rule—the main body of thinking and well-informed persons certainly being persuaded by what had passed to arrive at a contrary conclusion.—He now came to the question of the prorogation; and here he must say, that the clamour against it did not arise from the fact, that there was no speech from the throne, because it began before it was known whether there was or was not to be a speech. The objection then being to the prorogation itself, he could only remark, that he knew of no precedent or rule by which ministers were to be governed on the subject, especially when there was no business pending before one branch of the legislature that would be interrupted by such an event. He now advanced to the object of the motion presented for their adoption—the removal of his majesty's ministers. If indeed they had forfeited the confidence of the House by misconducting the business of the country, let it be shown by the vote that night. He called upon hon. gentlemen to look at the question with that degree of judicious candour which they were always wont to show: it was not whether every individual member, with regard to every particular act, would have adopted the same measures as government had done; the point for them to decide was, whether, upon a general view of the transactions of the last few months, they could say, that ministers had conducted themselves with impropriety or incompetence. If the House really thought, that his majesty's ministers had so acted as to forfeit its confidence and support, then in God's name let it pronounce that opinion decisively. But if, on the other hand, it was found, that they had consulted and upheld the true honour of the Crown, and that they had not been insensible either to the best interests of the country;—if it appeared, that they had been drawn on, step by step, in the late proceedings, owing entirely to the peculiarity of the circumstances which accompanied those proceedings, and not from any pertinacity of their own;—if it appeared, that they had been actuated by no feelings of private interest;—if, looking at the whole tenor of their conduct, the House was not disposed to attribute to it improper motives, then it was impossible, that it could, in honour and in honesty, consent to adopt the vote of censure, that night proposed, namely, that their measures had been "derogatory from the dignity of the Crown, and injurious to the best interests of the country."

Mr. *Whitmore* expressed a hope, that the House would with patience hear the first observations of a member, who was alone induced, by the importance of the subject then under consideration, to offer himself to its notice, It was not his intention to enter at large into the topics connected with that momentous question, but he should shortly state the reasons which would influence him upon that night to give his vote for the motion. He agreed with the right hon. member, that nothing but necessity could have justified the bringing forward such charges against the Queen, and that nothing but the interests of the morality of the country could be considered sufficient to exonerate from censure the promoters of that measure. It was, therefore, requisite to examine how the morality of the country was affected by the conduct of the princess of Wales. The accusations charged her majesty with having been guilty of crimes, not indeed so much in Italy, as in the middle of the Mediterranean sea. And how had they been established? How the morality of this country had been affected by the conduct of the Queen in Italy and in the Mediterranean, had been proved by the conduct of ministers after they had brought forward their charges—charges which they had brought forward from mere rumour. They had agreed to pronounce her majesty not guilty. But, said they, the Queen forced herself upon the country; she forced us to bring those charges forward. For himself, he thought otherwise; for he was of opinion, that the Queen had been forced to come to England—by proceedings the most personal and degrading which could be adopted against her, by the erasure of her name from the Liturgy, and by the refusal to recognise her rights as Queen, either in England or at foreign courts. Had her majesty not come to England, the consequence would be, that she would have been branded by all with guilt, that she would have been considered to have acknowledged the truth of those infamous charges, and that she would be necessitated to submit to all the infamy resulting from them. At the time when that line of conduct had been commenced by ministers, this country had been labouring under distress, which excited agitation and dissatisfaction amidst every class of the subjects of the Crown. The public had been in a ferment—and had the proceedings of ministers tended to allay the disturbances? He thought not. Had they not rather contributed to add fuel to the flame? There was, he was thoroughly persuaded, existing in the country, a desperate faction, whose object was, the ruin of the existing order of things, the destruction of the religion of the country, and the subversion of the constitution—whose means were, the deriding of every thing solemn, and lavishing abuse on every thing sacred. Was this the moment to have created gratuitous agitation, when this faction had already too much ground to work on—when they required not such a pinion to wing their shafts, a poison so subtle to be infused into the blood of the country—as to the form of proceeding by bill of Pains and Penalties, he thought it also objectionable. He knew it had been said by some great authorities, that there could be no impeachment in this case. Without pretending to more than an ordinary share of legal knowledge, he was convinced, that if any offence had been committed by the Queen, she might have been proceeded against by impeachment. Blackstone, after defining the cases in which peers might be impeached, declared that all other subjects might be impeached for any offence against the rights of the people or the interests of the state. The only ground on which it could be contended that the Queen might not be impeached must be, that she was not a subject, or that she had not committed an offence against the interests of the state.—As to the question whether the Queen was a subject, they had heard so much of it of late, that it was not necessary for him to say a word. It was just as clear that any offence that could be charged against the Queen was an offence against the interests of the state. The proceeding was not a civil action, but tended to a penal infliction; and even the divorce was always represented as a measure merely consequent on the infliction of substantive penalties. A bill of Pains and Penalties had been chosen in preference to impeachment. It was a measure which had been described by sir William Temple, in the case of sir John Fenwick, as *ultimum remedium et pessimum*—as a proceeding which was not to be chosen when any other mode was to be found. The mischief of the proceeding by bill was never better illustrated than in the case of the earl of Strafford. He was accused by the Commons of high treason; but when it was found that the Lords would not convict him, the Commons sent up a bill of Attainder, and the very House of Lords, which would not find him guilty on a legal charge, consented to pass that bill which inflicted the penalties of treason. Viewing, as he did, the proceedings of the ministers, he should yet have considered them with more favour if they had not refused a specification of the criminal acts, by the withholding of which her majesty was subjected to inconvenience, from which she had been only in part relieved by the adjournment during the proceedings. The ministers talked rather lightly in that House of the opinion of the people. He was persuaded, that whatever confidence they had in that House, or in the aristocracy, the body of the people was against them. He formed this judgment, as well from careful observation in his own neighbourhood as from the meetings which had been held throughout the country. He knew that, at meetings of that description the different parties solicited their friends to attend—that in fact they were packed by one party or the other; but it was a remarkable fact, that at scarce one of those meetings had any one been able to pack a majority in favour of the late measures. The ministers would be grossly deceived, if they supposed that all those who signed the addresses containing general expressions of loyalty, intended to support them in their late proceedings. He had signed a loyal address; and he knew, that at the late meeting of the county in which he resided (Shropshire), the gentlemen who signed the address wished it to be expressly stated by the members for Shropshire, if the subject were brought into question in the House of Commons, that they were decidedly hostile to the late measures of the ministry. Any thing which tended, as these proceedings had done, to separate the upper from the lower classes, was, at this moment, in the highest degree perilous. Could any one look round the political horizon, and not see that great and fearful changes were approaching? If they looked at the burthen of the debt alone, a debt of 850 millions, which had been raised on props which were taken away, there was ample cause for alarm. It might be said, that though those props were taken away, it rested on other and more solid ground. But how were they sure that it would rest on this new ground with safety? It had been raised during artificially high prices and we had now come back to the prices of twenty-five years ago. Were they prepared to continue to raise ways and means for an effective increase on the debt of 40 or 50 per cent? It might be said that this was foreign to the subject; but he alluded to these difficulties, to show the view which he took of the situation of the country, and of the consequent necessity of an union and amalgamation of feeling among all classes, to harmonize in the measures which might be called for by our difficulties. As to the station the House of Commons now held in the opinion of the country, there was no doubt that it was looked upon with a certain degree of contempt; and he was afraid that the proceedings of the present session were likely to increase it. He entreated ministers to consider how essential it was to the well-being of the state, that the people should have confidence in the deliberations of the House, and that the heart of the House should beat in unison with the pulsation of the people. He did not allude to the clamour of a mob, but a vigorous, rational, and healthy pulsation. If this advantage were to be produced, it could only be done now by getting rid of a point of honour, a matter of mere form. He thought the Queen entitled to all the rights a Queen Consort ever possessed, as if no proceedings had been instituted against her. Law, justice, and policy, all required it. He would only say, in conclusion, that he had not felt or spoken as a party man: he had stepped forward solely from a conviction that the situation of the country at this moment was most alarming, and that it was absolutely necessary to conciliate the people.

Mr. *Bankes* began by complimenting the hon. member who had just sat down, both upon the matter and the manner of what he had delivered to the House. All parties must agree with him in thinking that nothing was more desirable than an union of interests. He had avoided taking a part in these unfortunate discussions; he had viewed them with disgust, and almost with shame. When he recollected the embarrasments of the country, the burdens it had to sustain, the extent of the agricultural distresses, coupled with a glance at the pending proceedings in the south of Europe, he could not help saying that it was matter of vexation and almost of shame, to think that this wise and understanding people should be dragged into these discussions to the neglect of matters of higher and more lasting importance. When therefore a motion like the present was brought for the definitive determination of the House, it was impossible for him not to be anxious to state the reasons on which his vote would be founded. The hon. mover and seconder had brought forward a distinct accusation against ministers: it was a practical substantive resolution; and it was avowed on the other side, that it would be impossible for the servants of the Crown to continue in office, if a stigma were cast upon them by the adoption of the motion. The House, therefore, was called upon to decide on something not at all within its ordinary functions. Nobody who was in the least acquainted with the nature and usual exercise of the powers vested in that House, but must admit that such was the character of that act which they were required to perform by supporting this resolution; a resolution which hon. gentlemen could only assent to by assenting to one of two principles—either they must believe that there had been that excessive misconduct on the part of the ministers which made them unworthy any longer to assist in the councils of his majesty, or else that they had manifested those principles which might reasonably cause such a misconduct to be apprehended. The first question, then, to which he should apply himself was, had there been something of such gross error in their acts as rendered them not worthy to carry on the administration of public affairs? With regard to this point, he did protest that, after the best consideration he had been able to give to the subject, and not being satisfied with the transaction as it stood, being contented neither with the beginning, the continuation, nor the end of that transaction, he must yet, in justice to ministers declare, that he thought it extremely difficult for any body to say what would have been the wiser course to pursue. He would say, that it was peculiarly hard to charge persons in this way upon the failure of an event that had ended unfavourably, when, after that event had so ended, it was difficult to describe what better could have been done. Would it have been endured, after those rumours which had reached England from every quarter, not only from Milan and Naples, but from almost every traveller who came from those countries which her majesty had visited; would it have been proper to receive the Queen on her return hither, as if she had come over with that character which the late queen possessed? Or was there any thing so degrading, or so improper, in the propositions that were made to her by the government, as that they deserved, in consequence, to be treated with extreme contempt, or that that government should be liable now to the censure of the House? Were these propositions in their nature so much worse than those which were offered to ministers on her part some months before? What reason had ministers to suppose that such offers as had been submitted to them, on her part, in the month of February, would be rejected by her, when they were made by themselves in the month of June? Had the Liturgy ever been spoken of at that time? Not a word was said about it. But he begged to say a word or two upon the subject of those propositions. Ministers had a communication with the law-adviser of her majesty, and that gentleman was empowered to make the offers which were first held out, with only this difference, that there was an increase of the sum originally proposed. It was not then said, that it was impossible for her majesty to consent to them. It was not then indignantly declared, that she must reject them. They were not then discovered to be so unworthy of her acceptance. But if they were so, how happened it that her law-adviser should have thought the communication of it one for him to be charged with, and that he did, in effect, go on with it? He would maintain, that, in the first place, his majesty's ministers did all in their power to prevent her majesty's coming into this country; and in so doing, did they do wrong? And here let him be allowed to ask, if the subsequent coming of her majesty into the country had not been attended with a multitude of evils? Himself and his hon. friend near him (Mr. Wilberforce) had done all in their power to prevent it.—Returning to the propositions in question, they were told, however, that the ambassador never delivered his credentials. They were informed, that the contents of that communication were not opened to her majesty; and that her majesty did not know, until some months after this, what her own confidential adviser was charged with. That hon. and learned gentleman (Mr. Brougham) had some months ago declared that he would explain himself upon this extraordinary matter, whenever a proper opportunity should occur. He would venture to ask, whether that opportunity did not now present itself; whether the time was not now arrived, when that singular legation, that unexplained sort of *parapresbeia* should be unfolded and defined? Under all the circumstances he had stated, he did think it a little too hard on his majesty's advisers, to suppose that they had acted, from the first, without any reasonable presumption that they were likely to succeed in proving that case which they were desirous of bringing under the notice of parliament. He knew that there had been a question, and one which had been much canvassed, whether ministers had adopted the most advisable mode of proceeding; whether they should have proceeded, as they had done, by a bill of Pains and Penalties, or by impeachment. But as this matter had never come before the House of Commons, it was not necessary for him here to consider it. He could only say, that if it had not been for the strength of some objections, which, at the time the question was discussed in another place, were stated by some noble lords, he should rather have held that impeachment was the better and more correct course of the two. Certain it was, however, that it could not be necessary for him to enter upon the subject; and he did not know but that there might be some grave reasons for the proceeding by bill. It was quite evident that the people, at present, were ready to receive every thing which was favourable to the Queen, or that was aimed against his majesty's ministers; and, therefore, he was pleased with the candid avowal which had been made by an hon. gentleman, that, though he disliked bills of Pains and Penalties, he would not say they were in all cases improper or unjust. But it had been said, why was not the Queen tried by the constitutional and recognised tribunal of a jury of the country? Why, really, it was hardly possible to suppose that such a question could be seriously propounded: she had been tried by her peers, and they were her legal and proper judges. Notwithstanding what a learned doctor (Lushington) had chosen to declare, that he would rather be tried by a jury of twelve convicted felons, it was obvious that her majesty had been cited before those who formed the legal tribunal before which she should appear. How, indeed, was it possible for the Queen to be tried by any other jury than by the House of Lords? On the whole, he (Mr. Bankes), without stating that he was satisfied with all that had been done by ministers was not so dissatisfied as to concur in the proposition of the noble mover [Hear, hear]. That resolution tended to nothing short of a direct and absolute change of administration. And here he would beg leave to observe, that himself and his honourable friends near him had as little inclination as any set of men in that House, to support a mere party measure; and he could assure the noble marquis, and the hon. gentleman who spoke after him, that it made as little difference to him as to other gentlemen, what individuals formed the administration of the country. As long as he had the honour of a seat in that House, so long he should be always ready to support them, while they appeared to him to act compatible with the great interests of the country. Referring to what had been said by hon. gentlemen, of the talents for office displayed on either side of that House, it was a fortunate thing that in this country more individuals were to be found who were fitted by education, reflection, and political habits, to take a share in its political government, than in any other kingdom or state in the world; indeed, than in all Europe put together. But this universality of fitness must be limited to the political knowledge of those who were so capable; and the choice of the sovereign who might happen to be on the throne, could fall, of necessity, but upon a very few. Besides great talents, they must have a large share of practical knowledge; there must be, in short, a coincidence of talent and of fitness belonging to them. Nay more, there must be also a coincidence of public opinion in their favour, without which, the choice of the sovereign would be vain. His majesty's ministers he thought possessed these qualifications in a great degree; and if they were to exclude one party they must raise the other. A right hon. friend of his, lately, in his place, had avowed, with that openness and manliness which every public man ought to avow his opinions, that he was not ashamed to seek by every honourable and becoming method, those employments of the state, wherein he might be most serviceable. To the fairness and frankness of this declaration, he was most willing to subscribe. There was always, unfortunately, in this country, a vile slander attaching to persons in office, as unfounded as it was illiberal. But, notwithstanding that species of detraction, the country, happily, was always much obliged to those who undertook office, and executed its duties well. Adverting to what had been said by the hon. gentleman who spoke last, he would affirm, that there was a dangerous faction in this country, endeavouring to extend itself by all the means it could command, and catching hold of every principle of ruin, by which it might succeed in involving the kingdom in a general conflagration. He was sorry to say, that many gentlemen of that party to which he had been alluding appeared to him to have been giving vastly too great a countenance to this faction. When he heard of public meetings being called, and found that those were the gentlemen who acted with them, and spoke at them, he was constrained to say, that though, perhaps, there was not a principle of union, yet there was a sort of co-operation between them which alarmed him extremely. Those honourable gentlemen would excuse him, if, thinking so highly as he did of their integrity and their honour, that connexion did alarm him. He recollected, that during the last two months of the reign of their late lamented King, there were two bills brought in and passed: the one related to seditious meetings; the other, to some further restraints to be put upon the press. On that occasion, he found the same gentlemen now sitting near him the active opponents of both measures. They said, that the first bill went to impose restraints on public liberty and free discussion, such as the times did not call for, and such as were contrary to the genius of the constitution and the spirit of the age: and with regard to the public press, they argued, that if any further restraint were to be imposed upon its exercise, it would be reduced to a state that could not be endured in a free country; and in pursuance of these opinions, he understood that a proposition was speedily intended to be submitted for the repeal of the act relative to the press. The hon. gentleman went on to state his entire dissent from the views thus taken by those members. What they called the liberty of the press he called its licentiousness, and he thought it was one of the most terrible evils of the country. He thought it was the root of all those evils of which she now complained. The Opposition, he stated, were not only pledged to the repeal of those bills, but to a reform in parliament. It was true that they were not agreed about the details, but they were certainly pledged to what they called an effective reform. He did not believe they entertained the Doctrine of annual parliaments, universal suffrage, and other wild and visionary notions, which floated in the eccentric imaginations of foolish men; but they were pledged to a reform which the present circumstances of the country could not with safety allow, and he therefore viewed it with unqualified apprehension. Another question to which they were pledged was Catholic Emancipation. At present government was divided on that question, and our Ecclesiastical Establishment was kept alive against one party by the support of the other; but if the Cabinet was once united upon that subject, as it would be if the Opposition came into power, that ruinous measure which he deprecated would inevitably pass.—The hon. member then proceeded to remark, that the Opposition were bound to a complete change of the system of government. He also adverted to the conduct of both parties during the French war, and said, that the Opposition despaired of the resources of the country, while their antagonists exerted their power and influence, and, under their auspices, a most brilliant war had been put an end to by a peace more glorious than any which the country had enjoyed for four centuries. He concluded by expressing his firm reliance upon the Councils of his majesty's government, and reiterating his opinion, that in the dangerous circumstances of the country no administration could be found so well entitled to his support as the one at present existing.

Sir *James Mackintosh* said, he was called on by the extraordinary speech of the hon. member to offer a few words. The hon. member had, indeed, said little on the motion, of which he told them he disapproved; but whatever he did say upon it, after having made that declaration, was in its support; for he very candidly stated, that in the proceedings, which it went to condemn, he could not agree, as to either their beginning, conduct, or termination. Yet he had given a vote in contradiction to that sentiment, and opposed the resolution by his practice, while he upheld it by his observations. He would not enquire into the cause which induced the hon. gentleman to act in such direct violation of the laws of Solon, as to take neutral ground, while, according to his own account, the common-wealth was in danger. He would not enquire whether Government had been acting in such a way for the last forty years as to leave his impartiality no hope but from supporting the other side of the House; but he thought that in any republic short of Utopia, a public man might be found in that time, who was capable of conducting the national affairs so as to deserve the confidence of impartial men. The impartiality of the hon. member was indeed so great, that he always made a boast of it. But what was the proof! Why, unqualified panegyric on one party, and perpetual exclusion to the other. That panegyric ought to be heard with peculiar pleasure by the noble lord opposite. His ear was not much accustomed of late to eulogy. He and his friends had heard so little of it for some time, that he was not surprised that they hailed it on the present occasion with expressions of wild and genuine rapture [hear, hear!]. The hon. member had taken a great latitude in his view of the question. He had thought proper to go into the French war, and he must follow him there. The gentlemen whom he had so severely reprimanded for despairing of their country, did not vote for the war and, having so voted, then refuse the supplies. They did not betray Government into that war by their promised support, and afterwards withhold the necessary aids. He congratulated the noble lord opposite on the glorious peace, the honour of which belonged to him. As to the brilliant war, that was achieved by our gallant officers and invincible troops; but the glorious peace, that was exclusively the work of the noble lord, and he could not but congratulate him upon it—that peace which had so consolidated the interests of Europe, and placed them on a basis not to be shaken [a laugh]. Such it was described a short time ago, but such it was no longer. He would not make any observations upon the discord, animosity, and heart-burnings, which were now embroiling all Europe, or upon those scenes of armed preparation, which menaced independent States with the subversion of their liberties. Those affairs of the Continent it was not his intention then to dwell upon; but he merely wished to point out the real character of this glorious peace, and the result of the negotiations of the noble lord, which had confederated the European powers in so amicable, so disinterested, and so generous an alliance. But this state of things had recently called upon the noble lord for a disclosure of the acts and principles on which that alliance was founded. He had felt himself compelled to make that disclosure, and to declare, that the conduct of our magnanimous Allies was contrary to public right, and to the law of nations, and calculated to destroy the very essence of independent States. However he chose to qualify this declaration in the conclusion, such was the sum and substance of his remarks, and thus out of the mouth of their associate was the Holy Alliance condemned [hear, hear!]. Thus was the conduct of the Sovereigns reprobated, and the policy of the great Congress denounced by one of its own members, who was said to have established perpetual harmony, and consolidated by a glorious peace that repose of Europe, which was not to be disturbed, and which was one great cause why government continued to have the support of the impartial member. Now, he would say something to another point! The hon. gentleman had generously allowed, that there were many persons besides ministers in whom that House and the country might have confidence; but having laid down that doctrine, he gave proofs that he confined his liberality to one side of the House, and though he allowed the qualification of the candidates for office on the Opposition Benches, he could never agree to their eligibility. He thought that they had the talents and capacity to be competitors for office, but could never allow any real competition. He would give a most liberal range to expectancy for power; but would, at the same time, have a perpetual dictatorship, and would support ministers at all hazards, although he could not approve of their conduct either in the beginning, the middle, or the end. He could not, for any liberality of theory, give up his practice of exclusion, and therefore he negatived the motion in fact, to which he virtually assented [a laugh]. He was also apprehensive, lest his friends near him on the Opposition benches might redeem the pledges which they had given to the people, and he objected to them strongly, for the countenance which they gave to public meetings, and their opposition to the bill for the suppression of such Assemblies as he chose to call seditious. But he would ask, what was there amiss in all this, where was the matter of well-founded imputation? When had it become a crime for members of Parliament to appear before the people—to face their constituents—to reclaim them if misled, or to teach them confidence if right? As to the noble lord, and those who rallied under his banners when he gave the signal, he would ask him and his friends, if it was by declaring war, that the people, if mistaken, were to be reclaimed, or was it not rather by listening to and redressing their grievances if real, by kindly shewing them their error, if imaginary, by doing justice where there was injury, and passing no condemnation without reason? Was it because the majority of the House of Commons had declared war against the people of England. [Cheers from the ministerial benches, and some cries of "order."] He would not say that this had been decidedly done, but such was the tendency of the late majority to which he alluded.

Lord *Castlereagh* rose to order. He wished to ask whether it was parliamentary to say that a majority of that House, on any question had declared war against the people of England?

The *Speaker*. There can be but one opinion upon the words used by the hon. and learned gentleman;—and I am certain that the hon. and learned gentleman himself will admit that the words are most disorderly

Sir *J. Mackintosh* resumed. He bowed with the greatest deference to the opinion of the chair, but this was the first time, in his recollection, when any member was called to order for words which he had already explained. Uninfluenced, then, by what had just occurred, he would say, that a majority of that House, in hostility to the declared wishes of the people of England, was an evil; and that that evil would be increased if a greater number of members were of the same opinion with the majority; and still worse, if there were none left who could agree with the sentiments of the people. But the hon. gentleman had given the best possible answer to one part of his argument, with respect to the attendance of gentlemen on the Opposition side of the House at public meetings. He had spoken of incendiaries. Why, should the hon. gentleman say that all public meetings were to be left to the influence or direction of incendiaries, if there were any such attending them? Was it not natural that the Opposition should wish to gain the confidence of the people, and to assent with them in those principles in which they concurred? Was there no example of the attendance of public men at meetings of the people in other times; He believed the hon. member for Corfe-castle was one of those who had opposed the American war. He must then remember, that at that time, Sir George Savile, the Marquis of Rockingham, lord Temple, and several other distinguished public characters who had opposed themselves to that war, had joined in meetings of the people. Why, then, was that to be objected to members in the present day, which had at all times been the practice of public men? The hon. member for Corfe Castle contended, that the repeal of the acts passed eighteen months ago, against seditious meetings, and for the restriction of the press, would be a measure pregnant with the most dangerous consequences; and that any effective reform must, under existing circumstances, throw the country into confusion. Now, certainly, those measures, the repeal of which the hon. gentleman contemplated with so much alarm, were not liable to the reproach of being effective; on the contrary, they had been perfectly ineffective. As to the Bill for restraining Seditious meetings, they had seen meetings since its enactment much more numerous than any which it was intended to restrain; it was, in fact, for all the objects which the Government had in view, a dead letter, and answered no other purpose, than that of exasperating, instead of restraining; of alienating the people from the legislature, instead of enforcing obedience to the laws. Then with respect to the Bill for restraining the press, the hon. gentleman declared that the present state of the liberty of the press deserved the name of licentiousness: fettered and restrained as the press had been, the hon. gentleman still thought it licentious, and that it required to be still further purged and corrected by the ministers, for whose continuance in power he was contending. It was clear, then, that these laws had been ineffective; for if they had been otherwise, the Loyal Addresses did not contain one word of truth, when they declared that the country was never so deluged with treason and blasphemy, as it had been since the period of passing the Bill for restraining the press.

Never was there a law which deserved better to be panegyrised by these favourers of ineffective measures.—The next topic on which the hon. gentleman had animadverted, was that of an effective Reform in Parliament. Some horror had been expressed at the term "radical", and, at various other terms, but this was the first time that he had ever heard any man, who professed to be an advocate for any kind of Reform, express his horror of an effective reform: for the only reform which the hon. gentleman could tolerate was an ineffective reform, and the necessary inference from this was, that he viewed an effective reform as a measure pregnant with danger to the country. All the admirers of extensive and extravagant reform would be glad of the authority of the hon. gentleman, who considered every moderate reform as ineffectual. They who regarded all moderate reform as little better than a mere mock reform, had not only the sanction of the venerable advocate of that system, but they might now quote the authority of the hon. member for Corfe Castle, who opposed all reform within the pale of the constitution, which was injurious to no existing interests or institutions, and who, for some reasons, whether of a local or general nature he knew not, considered all such reform as illusory and ineffective.—He had long been of opinion, however, that most of the enemies of parliamentary reform entertained sentiments not very dissimilar to those of the hon. gentleman. They dreaded all moderate and reasonable reformers, in proportion as the arguments of such reformers were most irrefragable, and their plans most practicable and capable of being carried into effect.—Having made these observations upon the party speech of the impartial member, he should proceed to offer a few remarks on the question before the House. If his majesty's government could be shewn to have been guilty of a breach of law and a violation of justice, it was clear that they might be impeached for a high crime and misdemeanor. He would say nothing of the bill of Pains and Penalties, partly because that part of the subject had been so ably discussed by an hon. gentleman with such distinguished ability, and partly because his objections to the conduct of ministers lay much deeper; for he was absolutely hostile to all proceedings against her majesty. He held, that the king's ministers had instituted an unnecessary proceeding against her majesty, and that by so doing they had subjected the country to the greatest calamities, and exposed it to still greater danger; evils and dangers which would all be greatly aggravated if the House of Commons refused to concur with the unanimous opinion of the people, and to pronounce that censure upon their conduct which almost every man in the country had already pronounced. The right hon. gentleman opposite, the president of the board of controul, in the absence of one of the greatest ornaments of that House, his predecessor in office, attempted to shew the necessity of instituting the proceedings against her majesty. He contended, that her majesty's coming to this country had driven government to the necessity of choosing whether they would or would not recognise her as Queen Consort. He was ready to admit this; but where, he would ask, was the necessity which compelled them to adopt one branch of the alternative, namely, to refuse the recognition of her majesty as Queen Consort, and to accuse her as they did? There was not the shadow of a public necessity for this course, though he admitted that there was a ministerial necessity for it. They could not have kept their offices and places without coming to some compromise, without agreeing to prosecute the Queen if she should come to this country. This might be a very good reason for the hon. member for Corfe Castle, who thought the services of these gentlemen indispensable to the country, and would, no doubt in his opinion, be a sufficient answer to every charge which might be brought against ministers for every species of misconduct. If the country were really reduced to that degraded state, that it could only be saved by one set of men, then he (Sir James) granted that no charge could be brought against them, for any misconduct, however gross. But this was really one of the most convenient doctrines ever laid down by an impartial member of parliament —it was a discovery in political science which would immortalise his name; it not only supplied the present ministers, but would supply all future ministers, with an answer to all accusations; for there never would be wanting ministers, who would be ready to contend that their continuance in office was absolutely essential to the interests of the country. The original commencement of the proceedings could only be justified by a paramount and over-ruling necessity, and he confessed, that he had heard nothing like an argument to show that necessity. The noble lord opposite and his colleagues, had not acted without warning, for his hon. and learned friend (Mr. Brougham) had warned them at the commencement, that they were bound not only to make out the charges against the Queen, but to make out the necessity of bringing them forward. It was the duty of ministers to determine whether it were advisable to prosecute or not to prosecute, and in the event of not prosecuting, to abstain from every thing like insult or irritation, and to grant those rights, which, when the matter was not to be brought to a judicial issue, they had no longer any right to withhold. He did not complain of parts of the conduct of his majesty's ministers; it was not to an error here, or an error there, that he objected; he found error in the commencement, error in the whole progress, and error in the termination of the proceedings. He repeated, that a proceedding, attended with the most fatal effects to the country, had been commenced without necessity. He would ask the hon. and learned gentlemen opposite, whether they were not bound, even in instituting proceedings against the meanest individual, against the most obscure libeller, to take care that they had a reasonable assurance of success? The responsibility, weighty even in such a case as this, became ten thousand times greater, in proportion to the magnitude and importance of the proceedings against the Queen. Ministers were bound to take care that they had a reasonable assurance of success, before they instituted such a prosecution. They were bound to calculate all the possible contingencies; to make allowances for the possible bad character of the witnesses, for those variations and contradictions inseparable from the very nature of the case, and for the temper and peculiar situation of the people of this country, before they proceeded to take a single step. Nothing could be more fatal than change and vacillation, but change and vacillation had characterised their proceedings from the beginning to the end.—It had been urged, that the negotiation with the Queen had been sanctioned by the concurrence of this House; but it should be recollected, that ministers alone were in possession of the evidence. They knew all the weakness of the evidence and the character of the witnesses; but the House was placed in a very different situation. It was the ministers of the Crown who first committed an illegal outrage against the Queen, and then threatened her with prosecution if she returned to this country. It was the ministers of the Crown who had produced all that embarrassment and difficulty in which his hon. friend, the member for Bramber, found himself involved, by first committing the honour of the Throne by the message of the 6th June, and then inducing that House to throw itself at the feet of the first subject in the realm, and entreat that subject not to be tried. They first dishonoured the Crown, and then dishonoured that House in attempting to extricate the Crown. Disgrace and dishonour had been thrown upon every authority of the state—upon every institution of the country, merely to extricate ministers, who were the authors of our disgrace. They had no right to blame her majesty for not accepting their proposition; they were not the constitutional advisers of her majesty, and if any member of that House entertained the slightest bias against her majesty in consequence of that decision, which she had an undoubted right to form, he would be guilty of the grossest injustice. With respect to the majority of 27 or 28 peers, who voted for the second reading of the bill, he had looked into all the divisions on bills of Pains and Penalties and impeachments for the last century and a half, and, with the exception of the deplorable case of sir J. Fenwick, a case much too lamentable to be cited as a precedent, there was not one in which the minority in favour of the accused was so large as in the case of the Queen. In sir J. Fenwick's case, indeed, the majority was two to one; but, in the disgraceful sentence on lord Strafford, the majority was five to two; whereas in the case of her majesty, the majority was not equivalent to a fair majority of a common jury. Even supposing that a considerable part of the majority were influenced by motives of expediency, it was still disgraceful to the supreme authority of the state; it was a wound inflicted upon the laws and constitution of the country to bring forward a case which was found to command a less majority than any similar proceeding in our history.—The effects of this proceeding were, in every point of view, both with reference to present and future interests, most deeply to be deplored. The loyal addressers complained of licentiousness—but who had given occasion for that licentiousness? The prosecutors of the Queen. Who had secured popularity and impunity for that licentiousness? The prosecutors of the Queen. Who had done all that in them lay to promote public disorder, and weaken the securities of government, by turning the purest feelings of the heart, and the best sentiments of our nature, against the laws and constituted authorities of the country? The prosecutors of the Queen. Those proceedings might be perfectly reconcilable with the temporary interests of ministers, but they teemed with the most fatal consequences to the honour, the happiness, and the security of the country, and could not be contemplated without alarm, if tried by any principles but those of the member for Corfe Castle, the partial partisan of a perpetual administration [Hear, hear!]. The ministers who had prosecuted the Queen had, in effect, waged a war against the existing institutions of the country. They had left a legacy to all those who might hereafter seek to destroy them. They had furnished a great magazine, to which every man might hereafter resort who wished to decry and revile the monarchy; they had not only culled and simplified all the arguments—they had not only collected and embodied all the common places which had ever been urged against monarchical institutions but they had decorated them with all those circumstances, they had given them that attractive and amusing form, which were best calculated to gratify the depraved appetites of those who resorted to them. They had invaded the sanctuary of monarchy, they had torn aside the veil, and exposed all its frailties and infirmities—they had thrown open all that was most sacred, to the vulgar gaze, and made those, who ought to be the objects of our veneration and respect, the theme of obloquy and derision. By thus exposing the domestic misfortunes of the king and Queen, the noble lord and his colleagues had agitated the whole country, and exposed a mighty empire to the danger of a civil war. They had placed the throne itself in a more insecure and precarious situation; and it would require a long course of wise policy, and vigorous, though moderate and constitutional measures, entirely to efface the consequences of this most impolitic proceeding.—He had little more to add upon the subject. The noble lord opposite might be assured, that his words, however warm, had proceeded more from sorrow than from anger. He felt the utmost sorrow, that they had passed from a season of peace to a season, he would say, of peril. The greatest breach had been made, by the last division in that House, that had occurred in his memory—a breach between the people and that House. He was afraid that the division of that night would widen that breach; and he greatly feared that it would soon become impossible to prevent the most deplorable consequences. The House of Commons had supported ministers in the late proceedings by a majority of three to two—the people had opposed them by a majority of twenty to one. This was a contrast which filled him with alarm. He wished to see a treaty of glorious peace between this House and their Constituents—a happy alliance between the people and the House of Commons; and, if that glorious treaty and that happy alliance took place, the consequence would be, the deliverance of Europe from the state of chaos and confusion with which it was threatened. If it should prove otherwise, all he could say was, that he had done his duty, and he believed that the consequences would be most fatal to the peace and prosperity of the country.—The hon. gentleman sat down amidst the cheers of the House.

Mr. *Peel* said, that, having been absent on every former occasion on which this subject was before the House, and having now heard the particularly severe terms which the hon. and learned gentleman had applied to the last decision of that House, he felt himself called upon to justify the vote he should give. Having been prevented from attending when the last decision of the House had been given, and having intended, if he could have been present, to take that line which had been so severely animadverted on, he would first state the grounds on which he concurred with that majority of whom the hon. and learned gentleman had said, in the warmth and heat of debate, that they had declared war against the people. The words had been satisfactorily explained by the hon. and learned gentleman to mean only, that the tendency of that vote was hostile to the interests of the people. In that sense they were unobjectionable; and although he had himself felt assured that such had been the meaning attached to them, he was exceedingly happy to hear them so explained by the hon. and learned gentleman. In the situation in which he now stood, he was called on to declare the honest and independent opinion which he had formed, and in doing so, he was utterly ignorant whether others concurred with him in that opinion; he was regardless what impression his opinion might make: this recommendation, however, his opinion had, that he laid his hand on his heart, and said, that he had formed it without reference to personal or party considerations; that it was the result of the deliberate exercise of his judgment, and that it had no other view but the import and justice of the question. He was one of those who could not concur in the propriety of having originally omitted the name of the Queen in the Liturgy; and on this ground—that he saw no inconsistency in inserting, or rather continuing, her majesty's name in the Liturgy, and at the same time boldly coming forward with a charge of the highest nature. Yet he could not have concurred in the motion of the noble lord (A. Hamilton), because it was of an intricate and indistinct character, and because it would have prejudged the question now before the House. It was also an ill-timed motion; because it ought to have been brought forward last session, if at all. The offence, if offence it was, had been committed on the 29th of January last year: why, then, delay a motion respecting it till the 26th of January this year? He could not have concurred in it on another ground. It would have been grossly inconsistent in the House to agree in such a motion, after having last year concurred in a decision to which the noble lord had moved an amendment, which, in substance, was the same as the motion of this session. He would further have voted against the noble lord's motion, because it was calculated to redress no wrong, because it was no object for the Queen to have such a declaration from that House, and because it merely expressed an opinion adverse to the government. If it should be said that the consequence of agreeing to such a motion would be the insertion of the Queen's name in the Liturgy, he would say, "Let us have a motion directly for that object." "Let us know what we do." Such an important question as the insertion of her majesty's name was not to be carried as a corollary to a motion. If, then, that motion contemplated any other result than the one which it professed, for that reason he would have objected to it—But, of the present motion he thought very differently. He thanked the noble lord who made it, and the hon. gentlemen who supported it, for the fairness of the motion and the manly sentiments with which it had been supported. They had disclaimed any intention to effect by this motion a change of administration, while they fairly admitted that the consequence of a censure of the conduct of ministers in the terms of the motion might be the removal of ministers, and a change of government. He would not enter into any examination of the necessary or probable consequences of the motion. He cared not what the consequences might be, whether a change of government or a reform of parliament: if ministers had acted in the late proceedings either from vindictive feelings, as alleged by a noble lord on a former night, or in order, according to the charge of the hon. and learned gentleman (sir J. Mackintosh) to perpetuate their power, he would concur in the motion. He would infinitely prefer a change of government, parliamentary reform, or Catholic emancipation, to supporting in office men who could have acted from such base and corrupt motives, and could have adopted proceedings which all so lamented and deplored from a mere desire of continuing in office. He dismissed, therefore, every other consideration, and would give his vote on the issue which alone they were to try—that was, Did the conduct of ministers, in the whole of their proceedings against the Queen, call for the grave and serious censure of the House? If their motives were good, though blame might be attached to particular parts of their conduct, he would be justified in giving, as he meant to do, a direct negative to the motion. The case had been so unprecedented; there had been so little light from any other case to direct or guide; the illustrious person against whom the proceedings had been adopted possessed no ordinary mind and character, and acted upon no ordinary feelings;—the House of Commons, reviewing those circumstances, standing on the vantage ground to which the progress of events had now carried them, and seeing distinctly whence every current set in, and every wind blew, would not hastily censure the first commencement and the early progress of the navigation. The only fair mode of judging was, to place themselves in the situation in which ministers had been then placed. The House were, in order to judge fairly, to recollect the period to which what is now present was future, and what is now clear was covered in obscurity. He now declared his general concurrence in the proceedings with his majesty's ministers. It was not in the commencement, in the course, or the termination that he differed from them. But he differed in many cases from ministers. He had already said, that he lamented that her majesty's name had been excluded from the Liturgy. He had with regret heard it stated, that a palace was not to be provided for the Queen; he had read with regret the answer to her majesty's demand of a ship of war. Those were circumstances which made a deep impression, not on enlightened minds, but on the great body of the people: they were unimportant and insignificant in themselves, but they were circumstances which, connected with a rank so distinguished, produced the strongest effect on the minds of the people. It was from the consideration of the influence of such little circumstances that lord Bacon had remarked that "you sooner perceive how the wind blows by throwing up a straw than a stone." From the refusal of the circumstances of accommodation to which he had alluded, an impression had prevailed that the Queen was the object of persecution. It was an unjust and erroneous impression; but the circumstances he had mentioned had materially contributed to produce it.—He now proposed to argue the question at issue on the grounds on which the hon. and learned gentleman who had last spoken had argued it. The hon and learned gentleman had said, that he could get no answer to the question "Where was the necessity for the proceedings against the Queen?" He was ready to contend that there was no case so clear as the absolute necessity of the proceedings. It had been impossible to allow the Queen under the charges under which she laboured, to ascend the throne without a communication to parliament. If every privilege had been granted to the Queen—if she had been placed on the throne—he did not believe that inquiry would have been ultimately avoided: he believed that at this moment they would be discussing the question whether the government ought or ought not to be impeached for withholding the charges which they knew against the Queen. "Where was the evil," it was asked, "of avoiding all proceedings?" What! was it no evil to place on the throne of England imputed adultery and guilt? Those charges which had been brought forward had, at the period now referred to, been in the possession of government. Would it be no light thing to place at the head of a female society distinguished for the decencies which formed the charm of female society, a Queen charged with adultery? He spoke only of the charges; he would not refer to the details given in evidence in the other House: of those details he had formed his opinion—he could not help forming an opinion—and in this question he could not help making reference to those proceedings. He admitted the claim which the Queen had, in consequence of having escaped conviction. When he said escaped, he did not mean to say any thing further, than that the investigation had not terminated in the conviction of the Queen. He was the last person in the world to withhold from one of her majesty's illustrious rank, and from an afflicted female, the benefits of an acquittal. But it was impossible for him to come to any decision satisfactory to his own mind, or just to ministers, who were now accused, without a reference to the circumstances which had been disclosed. Was it his fault? It might be the fault of no one; but it was the consequence of the motion which was now before the House.—Not only, then, was he convinced that there had been a necessity for inquiry, but he felt assured that inquiry must have been the consequence of attempts to evade it. The hon. and learned gentleman who had argued this question with so much ability had asked whether we saw no evil in the advantages given by such proceedings to a vile and degraded faction, and in embodying so much abuse and reproach upon illustrious and royal station? But, did he think that the faction whose intent it was to bring into ridicule, disgrace, and infamy every institution in the country—did he think that that faction would not have turned against the Queen, if not recommended to them by a prosecution, and embodied all the insinuations and charges which could be collected against her? Would they who had seized her arm in order to shake the throne—would they not have propagated, applied, and circulated every degrading insinuation, and asked whether the throne was not disgraced by such a person? He begged not to be misunderstood: he meant only a Queen labouring under such charges. The consequence of attempting to evade inquiry into those charges would have been a motion of impeachment in that House, on the ground that it was impossible for the House to refuse deliberation and inquiry in such a case. If the member for Knaresborough (Mr. Tierney) were in such a case to move an impeachment, it would be in perfect consistency with what he had stated in that House, on the first day of the last session. On the 21st of February last year, when a member had mentioned the Queen's name the member for Knaresborough had said, that he would not vote one farthing to a person under such a cloud. Was it possible that the government could have escaped censure if they had neglected inquiry on that occasion? The right hon. gentleman had said, that he would not be satisfied unless ministers should pledge themselves to institute an inquiry next session. Was it possible that the right hon. gentleman could have suffered the Queen to ascend the throne without an inquiry into the conduct of government? The government had charges against the Queen; if, for the sake of argument, he were to admit that it had been wrong to send out a commission to Milan, still the commission had been sent out, and there the charges were in the hands of ministers. Was it possible for them to avoid an inquiry into the truth of those charges? In his opinion, to have done so would have been the grossest dereliction of their duty. Ministers having fully considered the case, and the Queen having refused the mediation of the House of Commons, it became utterly impossible to avoid an inquiry. If the Queen assumed the appearance of complete and unequivocal innocence, as she must have done, the government must have allowed her the triumph of innocence, or have instituted a prosecution against her. If she assumed complete innocence, which she did when she refused the mediation of that House, would not ministers, with the impression which they had on their minds, have been guilty of the grossest dereliction of their duty, if they had allowed her to ascend the throne with the triumph of innocence?—That, then, being allowed, the only question was, what course of proceedings should be adopted. It was but a choice of evils, and to him a bill of Pains and Penalties appeared the most likely on the whole to promote the ends of justice [Much cheering from the Opposition]. If those cheers meant that a bill of Pains and Penalties ought not to have been the course, he would say, that if the former part of his argument were allowed, it was not only the best but the only mode of proceeding. His right hon. friend had shown that the Queen could be proceeded against only in parliament. The only modes, therefore, were a bill of Pains and Penalties or an impeachment. The tenor of his education had not qualified him for discussing this view of the subject; but he would state his opinion, and he had taken some pains to form a correct one. Was it conceded to him that there were but the two courses open, of proceeding by a bill of Pains and Penalties, and a proceeding by Impeachment? Supposing an Impeachment, what, he asked, would be the consequence? First, a reference must have been had to a committee of that House; next, the Queen must have been unavoidably exposed to all the hardships of an *ex-parte* statement; and, lastly, that House would be called upon to pronounce a direct aye or no on every article of charge. In the unavoidable interval of time that must occur between the *ex-parte* statement of that House and the final trial, the Queen would have continued exposed to misrepresentation and misinterpretation. He wished it also to be considered, whether there did not exist great doubts of any conviction being obtained, on technical grounds, where an alleged adultery on the part of the Queen was committed with a person owing no allegiance to the sovereign of the country? If there existed grounds for such a doubt, and that on a point of technicality, acquittal must be the result of impeachment; was the great moral offence of adultery to be suffered to escape with impunity, because it was no offence against the law? Besides, was it to be credited, that an individual, sitting in trial on a bill of Pains and Penalties, would not feel himself in honour and in conscience bound to extend to the accused the same benefits as would be derived from the proceeding by impeachment? But even were the verdict of guilty established by an impeachment, it was impossible that it should not be followed by some separate measure, such as a bill of Pains and Penalties. Then he would ask, would a single inconvenience have been avoided by selecting previously the course of impeachment? If ever there was a case of a bill of Pains and Penalties strikingly exempt from injustice it was the adoption of it in the late proceeding against her majesty. If ever a state necessity called for the departure from the ordinary rules which govern the administration of justice, it was where a Queen, about to be invested with those dignities which befitted her high rank and station, was charged with a grave moral offence; it was to prevent adultery and high treason from being installed on the throne of this country. It had been asked, where was the necessity of the proceeding? Was there any chance of an heir to the throne—any fears of a disputed succession? Besides it was said, if offences had been committed, they were committed, not in England, but on the Mediterranean Sea. He could lay no stress on such considerations; if they were committed at all, or if there were good grounds of suspicion, he contended that they furnished grounds for inquiry, and, if guilt was established, for preventing the exaltation of the Queen to that august station which, as a Queen Consort, she would otherwise enjoy, presiding as she would then over the female society of the country, its example, its grace, and its honour.—He could not recognise in the proposition made at St. Omer's, or in the subsequent acquiescence of his majesty's ministers in the motion of the hon. member for Bramber, any proof of the bitter and vindictive feelings against the Queen, with which they were charged by the supporters of the present motion. On the contrary, he recognised in such conduct a disposition to make great personal sacrifices, even a sacrifice of their own consistency [a laugh]—he repeated, their own consistency, for the purpose of preventing the necessity of a course which they felt must be attended with painful disclosure and great public agitation. In place, then, of bitter feelings against the Queen, they were ready to make every sacrifice that was not inconsistent with their own honour. It might be asked, whether the proposition at St. Omer's was a wise or an unwise course? Though he might not, because it failed, consider it unwise, it might, however, be considered unfortunate. A different character attached to measures, undertaken with great prospect of success, and subsequently considered through the medium of failure. If that offer had been accepted, it would have been a wise measure; and, arguing on the probable effect of human motives, that acceptance might have been fully expected; but because it failed, and because he was instructed by the subsequent evils—and made wise by experience, was he therefore justified in turning round and blaming the government? And did not such censure come rather with an ill grace from those who deprecated the agitation of the subject at all? One would have supposed, that the more forcibly they felt the evils of such agitation, the less disposed they should be to visit with censure the government for endeavouring to prevent them.—There remained one other topic, on which he was anxious to offer a few observations. He had never, on any previous subject, heard so many admonitions and warnings delivered to that House—he might say, menaces, against its persisting in the line of conduct in which it had commenced. They were told to direct their consideration to the extent and influence of public opinion on this subject. He trusted that that House, notwithstanding all these warnings, would regulate its decisions by it own honest conviction. Nothing would so fatally disqualify them from filling the character of legislators and statesmen, as that they should stand shivering in every fitful breeze of popular feeling, and not discharge their obligations to the country by a just and necessary reference to the intrinsic merits of the question itself. If they studiously looked to the subject, they would feel it difficult to define what was meant by the phrase of popular opinion—the more they canvassed its character, they would find it fickle, inconstant, and ungrateful—fickle and inconstant, because what was now termed the public voice, would be in the course of three months wholly different—ungrateful, because if they allowed themselves to consult its will—founded as it was on passion, and not on reason—their very acquiescence would be hereafter quoted as an accusation against them. When he disregarded public opinion, it was that character of it which the advisers of the Queen, in the answers to addresses, were so studious to conciliate. In alluding to those answers, let it not be supposed that he was not willing to make every allowance for the situation of the Queen. It was not of her, but of those advisers, who were not under the influence of such feelings, that he complained. He deprecated their conduct as not less injurious to her majesty than it was to the country. But whatever might be the extent of that public voice, thus excited, he trusted that parliament would never so far forget its duties, as to adjust its judgment to the model of their passions, but would form its opinion on a sound, deliberate, and honest conviction of the real merits of the question.

Lord *Nugent* observed, that aware of the great influence of ministers in that House, it was easy to anticipate the fate of his noble friend's motion. With that view before him, he still looked with one feeling of melancholy satisfaction to the motion, inasmuch as it would enable the people to perceive, by the division, who were, and who were not, their faithful representatives. After the language he had heard uttered in that House against her majesty—language which would not have been tolerated, which would not have been dared to be used, in speaking of any other woman in the country who enjoyed the protection of a husband, a father, or a brother, he could not allow himself to give a silent vote, but must declare on his honour, his full belief of the Queen's being innocent of every charge against her as supported by the evidence. He said supported by the evidence, for he had no other means than the evidence produced, of forming an opinion. There was one part of the charge against ministers to which no gentleman on the other side attempted to reply: namely, why this opportunity of discussing the subject was delayed so long; why parliament was not sooner assembled for the purpose? During the last session a gallant friend of his (Sir R. Fergusson) proposed an inquiry into the Milan commission. The noble lord opposite said, that was not the time, but pledged himself that it should be done at the earliest possible opportunity. The noble lord also said, that in the event of the charges not being substantiated, her majesty should be restored to all her privileges undiminished. How had those pledges been redeemed to her majesty, the House, and the country? By adjournments after adjournments—by a prorogation under circumstances of the most offensive kind—and now by a speech from the throne, not noticing distinctly any provision, but recommending an arrangement to the House. The provision was accordingly proposed; but under circumstances which rendered it impossible that her majesty could accept of it—circumstances which might degrade the Crown and parliament, but could not degrade her. They were now called upon to recognise the justice of a sentence which the court refused to pronounce. The House could not forget the almost prophetic warning of her majesty's attorney-general, when he stated, that if those unfortunate proceedings were once commenced, no one could know to what they might lead. Every person must now feel the justice and truth of the warning. The right hon. gentleman who spoke last contended, that the mode of trial adopted was the most advantageous to the Queen that could be pursued. For his part, he had no doubt that impeachment would have been preferable. The great advantage of impeachment was, that if once acquitted, her majesty could never again be arraigned. With respect to a bill of Pains and Penalties, though the charge might fail from want of sufficient evidence, from the gross perjury of witnesses, or the utter improbability of the charges, still if other circumstances arose that promised success on a new trial, there was nothing to preclude ministers from having recourse to it. He would appeal to any hon. gentleman opposite, whether he really believed that ministers adopted this mode of proceeding from a conviction, that it would be most favourable to the Queen? Discomfited as ministers were, what was their language now? It might be introduced in one sentence. In the words of the hon. member for Surrey, they looked upon the Queen as a person convicted, but not brought up for judgment. His only answer should be a direct negative. She was not convicted, but she was brought up for judgment, and suffered all the penalties ministers could inflict on her. They attempted to degrade her by omitting her name in the Liturgy, and by holding her up as a convicted person. The hon. member for Surrey contended, that public justice had been done, for that her majesty was declared guilty. Public opinion had served her majesty as a shield. The public voice declared her innocent in their numerous addresses, and indeed had fixed at the same time an everlasting stigma on her prosecutors. What reparation could be made for the violent assaults on her character, not only in that House, but out of doors? He would not now allude to the wretched libellers who assailed her reputation in so shameless a manner. He wished to call the attention of the House to a pamphlet lately published, since her majesty's acquittal. This pamphlet asserted, as an inference from the evidence, that her majesty was guilty. The person who printed it dared to affix to the publication no less a name than that of the lord Chancellor. It was entitled a speech delivered by him on the occasion of the Queen's trial. Now, if this speech were written after it was delivered, as it appeared to have been, it was a most extraordinary proceeding; as it could not have been forgotten by the learned lord, that speeches so written when containing libellous matter, had frequently been subjected to punishment; and a publication containing more libellous matter than appeared in this speech could scarcely be found. Such a speech, indeed, was peculiarly calculated to vitiate public justice, and to fix a stigma upon the character of the Queen; while the abandonment of the prosecution against her majesty involved at least her virtual acquittal.—The noble lord concluded with expressing his conviction, that the motion of his noble friend should be adopted.

Lord *Milton* said, he apprehended that the right hon. the member for the university of Oxford had failed in establishing a case for the ministers. That right hon. gentleman had warned the House not to regard the public opinion, as it was adverse to the character of those whom he supported; but to justify his warning, the right hon. gentleman had described another authority, which he thought proper to call public opinion. It would be, however, for the common sense and candour of parliament and the country to form an estimate upon the comparison of the right hon. gentleman, between the secretly managed effusions of private meetings, and the open unqualified declarations, petitions, and addresses of the numerous public meetings which had taken place throughout the country. But was it to be seriously doubted, which party really spoke the public opinion? The right hon. gentleman himself, indeed, appeared in the course of his speech mainly to concur with that very public opinion which he affected to deprecate; for, although he expressed his intention to vote on this occasion for ministers, he professed to disapprove of every part of their conduct with respect to the Queen, except only their preference of proceeding by a bill of Pains and Penalties rather than by an impeachment. The right hon. gentleman distinctly disapproved of the omission of her majesty's name in the Liturgy, mitigating this disapprobation, however, by observing, that it was rather an unfortunate than a censurable proceeding. The right hon. gentleman had observed, that it was unfair in the gentlemen on his side of the House, standing on the 'vantage ground of experience, to condemn ministers for a decision which referred not to the past, but to the future. This censure, however, on the part of the right hon. gentleman, was not quite just; for it must be recollected, that ministers were at the outset in possession of the evidence upon which they were to proceed. They were aware of the persons who were to deliver that evidence, and they had ample opportunity of inquiring into the character of those persons. Therefore the argument of the right hon. gentleman, however it might otherwise be sound, must completely fail with regard to the decision and conduct of ministers in the case of the Queen. The right hon. gentleman had asked, if the Queen had been guilty of adultery, what would have been thought of ministers if they had, notwithstanding, allowed her to mount the throne of England? He (Lord M.) was, of course, ready to admit, that if her majesty had been proved guilty, she would have been unworthy of such a station. But then it was the imperious duty of ministers, before they preferred the charge, to have ascertained whether they were able to produce the proof. Some persons were heard to say, that the Lords, in assenting to the second and third reading of the bill of Pains and Penalties, had pronounced a verdict against her majesty. But he would appeal to any one acquainted with parliamentary usage, whether a vote for the second reading of such a bill implied any conviction of the party accused; and it was to be remembered, that all the votes of the other House terminated in the total renunciation of the bill. Therefore he maintained, that the votes of their lordships on any stage of the Bill, could not be quoted as evidence of her majesty's guilt. Upon the question of her majesty's guilt or innocence, for himself, he would declare, that he entertained a very decided opinion, different, he was aware, from that which was expressed by many with whom he occasionally communicated in the higher walks of life, and upon that opinion he had acted. The declaration of this opinion might be unpopular in that House, but still, he should have no hesitation in saying, that he thought the Queen not guilty of the charges preferred against her. He was ready to confess, that before the charges against her majesty were investigated, he thought her guilty, but this opinion had been totally changed by that investigation. Indeed, if that change had not taken place, no earthly consideration could have induced him to appear in her majesty's presence, or to take the part which he had done. Ministers had professed, that their conduct with respect to the Queen proceeded from a solicitude for public morals. But, if morality depended upon the late investigation, he felt, that he would have been among the last to oppose it; for he was most anxious for the preservation of morality, especially with a view to example among the highest individuals in the state —in the court of the sovereign, and among the ladies who accasionally mixed in that circle. But, with respect to the question before the House, he thought, the gravamen of the charge against ministers, was their introduction of the divorce clause in the bill of Pains and Penalties. They knew, that it was impossible, to pass such a clause consistently with the grounds upon which divorces were generally granted; that such a clause could not, indeed, be acceded to without a most serious dilapidation of morality; for nothing could tend more to relax the sacred and indissoluble tie of matrimony than the adoption of such a measure. Yet ministers persisted in pressing it, until they found it could not be carried; and then they abandoned it, not so much from a consideration of justice as of expediency. —The noble lord, after animadverting upon the grounds stated by the right hon. member for Oxford, for preferring a proceeding against the Queen rather by bill of Pains and Penalties than by impeachment, observed, that the main ground of this preference, namely, that the party accused would be fully informed of the charges and the witnesses to sustain them, before the case was referred to the final tribunal of decision, applied to the one mode of proceeding as well as to the other, concluded with emphatically repeating, that the gravamen of the charge against ministers, consisted in their introduction of the clause of Divorce into the bill of Pains and Penalties.

Mr. *Horace Twiss* said, that as the scrutiny to which the conduct of members had been subjected throughout all the discussions relating to the Queen, though abundantly minute, had been by no means proportionally accurate, and as he had voted on the recent occasions with that majority whose conduct was so severely impeached, he ventured to address the House, for the first time, in explanation of the reasons which would determine his present vote. Upon any question which had been personal to the Queen, he should have been unwilling to take an active part against her; but, when the motion was not against the Queen but against the government—when her friends were advancing from defensive to offensive warfare—[Interruption from the Opposition].—This was the first time he had troubled the House, and as he understood, that some indulgence was usual under such circumstances, he should presume to construe those demonstrations as friendly. He had been about to observe, that the present question being free from those difficulties which belonged to such as were personal to the Queen, an opinion might be expressed without any thing invidious to that illustrious person. With respect then to the exclusion from the Liturgy, it had not been magnified into so severe a hardship by the Queen herself, who at first seemed comparatively indifferent about it, but by certain distinguished persons in Opposition. They, before she herself took the objection, had suggested and propagated this promising topic of complaint: and the spark had then been formed into a flame by the formidable ventilation of the anti-ministerial press. [The hon. gentleman was again interrupted by the disapprobation of some members opposite, of which he complained, as being not less ungenerous on a first address, than it was derogatory on all other occasions.]

In the communications and negotiations which followed her majesty's arrival, suggestions had indeed been thrown out for the restoration of her name to the Liturgy, but, the earliest requisition to that effect by her negociators, made as it was for the first time after six days of treaty, was accompanied with an admission from them, that "it had not before been included by name among the heads to be discussed." Even then so little earnestness was expressed upon the subject, that in the very same conference, almost in the same breath, they suggested something else as a substitute in the event of its refusal. And two days afterwards her negociators being desired to state distinctly whether the insertion in the Liturgy was a *sine quâ non*, answered, that either the restoration of her name, or an equivalent, *was* a *sine quâ non.* So that this *sine quâ non* of restoration to the Liturgy, which was supposed to have been throughout, so undeviatingly insisted on for the Queen, which was represented as the one, original, continuing cause of all, and which was made the pretence for distracting this great country, turned out at last to be a *sine quâ non* beginning in an afterthought, and ending in an alternative: in all probability the first instance ever recorded of an alternative *sine quâ non* [hear!]. What, he would ask, would have been the language of Opposition, if, under the suspicions, just or unjust, which prevailed before and at the Queen's arrival, the ministers had stood calmly by, admiring her resolution, and paying her the full allowance of her late majesty? He would impute nothing to any party within the House; but, out of it he was sure they would have seen, staring as the main item in every inflammatory list of sinecures and pensions, the annuity which the apathy of ministers would then have been charged with saddling on the country without a due investigation into the deserts of the royal annuitant [cheering]. The noble lord near him (Castlereagh) had been blamed for volunteering a negotiation. It must be in every body's recollection, that the noble lord, when this sort of compromise was first proposed by the hon. member for Bramber (Mr. Wilberforce), had long hesitated to make the attempt: it was not till member after member had risen and conjured him to try its effect, that he had at last yielded, expressing even then, his own conviction of its inutility, and now the House were asked to turn round upon the noble lord, and make it a crime in him, that he consented to that, which they themselves, on behalf of the British people, had suggested, advised, and almost demanded of him. The next subject of blame was the Milan commission. If government sent out military agents, and those agents succeeded in their missions, the gentlemen opposite said, that the merit belonged to the agents and not to the ministers: but, if ministers sent out civil agents, and those agents were guilty of an oversight, the gentlemen opposite represented the errors of the agent as the errors of the government. This was not, in his opinion, fair conduct [Hear]. But they likewise said, that these civil agents had not sufficiently sifted the evidence which they had sent over into this country. Might he be permitted to say, in behalf of those who were not present to defend themselves, that, as many of the witnesses whom they had examined, had refused to come over to England, they had lost many links in the chain of evidence which they had prepared against her majesty, and that the country, therefore, was not able to form a just estimate of their conduct? Much reliance had been placed on the concluding language of the address to the Queen, as expressing the opinion of the House on the unfitness of the proceedings, but he thought, on the contrary, that the language of the address shewed, that the proceedings were regarded by the House as necessary, unless prevented by the Queen's compliance: for the words of the request to her were, to spare this House the painful necessity of those discussions. The House would hardly bear to be told, that when they presented the alternative of compromise on her part, or discussion on theirs, they meant merely to hold out a threat which, if she possessed the fortitude to disregard, they would want the spirit to enforce. Then, what had happened since that address to change the principle on which the House had acted in voting it? Take the acquittal in the amplest sense, surely it did not follow, that the prosecutor must be guilty whenever the defendant is not? If so, the danger of committing offences would be speedily outweighed by the much greater danger of attempting to punish or prevent them: and the next question for the House would be rather a difficult one—how they should constitutionally deal with that committee of the other House, which, on the same evidence, had recommended the same prosecution? That man only could consistently hold, that ministers ought never to have prosecuted, who would take upon him to say, that had he seen the evidence for the prosecution before it was contradicted, that is, in the only shape in which any prosecutor could ever see it, he could have pronounced the charges, on that *ex-parte* view, to be wholly unfounded; for, after the address to the Queen, which intimated that her compliance alone could save the necessity of the proceeding, it is too late to argue, that no grounds whatever could have justified so agitating an inquiry. And as to the Queen herself, the case was materially changed by her refusal to comply with the proposal of the House, and by her demand of a trial. She then became the challenging party; and though it was just to give her credit for magnanimity and bravery in facing accusation, it was not just at the same time to inflame the passions of the country against her accusers by denouncing them as oppressors who had barbarously dragged a helpless and reluctant victim to the stake. —The hon. gentleman then proceeded to argue that this was not a case in which impeachment could have been preferred, that process being, he said, confined to the cases of persons guilty of a breach of allegiance to the Crown, or of a political abuse of any public employment, trust, or franchise, and their accessories; and that a bill was therefore then necessary, because the only course. He concluded by contending with respect to the tranquillisation of the country, that the best remedy would be, for gentlemen opposite to discontinue such attempts as the present; he was convinced, that the middling classes who were mostly hostile to the late proceeding, were equally adverse to this renewal of the heats which that proceeding had engendered. The bill had been consigned to its death; it was now sought to sacrifice the ministers upon its grave. He was satisfied, that the majority of the country had no such wish: and that public opinion which had been represented by a noble lord (Nugent) to have served her majesty as a shield, would not be found equally available for a sword. [Hear, hear.]

The debate was then, upon the motion of Mr. Bennet, adjourned till to-morrow.

HOUSE OF COMMONS.

Tuesday, February 6.

WATER-WORKS—SUPPLY OF WATER TO THE METROPOLIS.] Mr. *Fremantle* rose for the purpose of moving, that a select committee be appointed to consider the state of the supply of water to the metropolis. In 1810, the circumstances arose which had rendered it necessary to bring this subject before the notice of parliament. Up to that period, the metropolis had been supplied with water by three or four trading companies—the New River, the Chelsea, the Thames, and one or two minor companies. At that time it was stated to the House, that this was a monopoly, and, in consequence it was broken down. It was likewise held, that new companies would be able to afford the same supply of water at a less rate than the old ones, which were at that time stated to be insolvent, and consequently unable to diminish the rate at which they supplied water, which was at an average of 27 shillings for each house. The result of these statements was, that a company, calling itself the West Middlesex company, was incorporated to supply, not the metropolis, but the vicinity of the metropolis with water. Not finding the lucrative results which they expected, they came a short time afterwards to the House for an amended bill, to enable them to extend their supply to a part of the metropolis, and obtained it. In 1811, the Grand Junction company was incorporated for a similar purpose; and as the House was impressed with a conviction, that the competition of these companies would produce results beneficial to the public, they did not take even the usual precautions in incorporating them. It fixed no rate as a maximum beyond which they were not to go; all that was said in their charters was, that they should fix a reasonable rate; but they were left to judge of the reasonableness of that rate themselves. No sooner were these charters procured, than the streets were broken up by the different companies for the purpose of laying pipes; and every House was besieged for the purpose of obtaining custom. In the course of three or four years the expense of the contest convinced the parties engaged in it, that if they continued it much longer they must all be ruined; and the consequence of this conviction was, that they came to a compromise, by which they divided the metropolis into separate districts, and agreed not to interfere with the districts of each other upon pain of heavy forfeitures. Having thus established a monopoly, grievous beyond all former precedent, each company removed the pipes which it had laid in the district of the other, and demanded in its own a very considerable increase of rate, under the pretence that its expenses had considerably exceeded the original computation. After shewing, that there was no truth in their pretence, the hon. member proceeded to inform the House, that the companies came again to parliament with an amended bill, asking for authority to raise their then rate full 25 per cent. That bill passed the House of Commons, but was rejected in the other House, in consequence of the evidence which was offered upon oath at its bar. One company endeavoured, by the authority of parliament, to procure an increase of 25 per cent in addition to the existing rate; but another chose to calculate on an average of the rates themselves, and by that means imposed a most arbitrary tax on individuals. Under this latter system some persons experienced no increase of the rate, while on others it was raised from 25 to 100, 150, and even 200 per cent. He wished the water companies to be fairly remunerated, and he was anxious, that there should be a plentiful supply of water in the metropolis; but, he held, that it was not right to suffer an arbitrary tax to be imposed on the public. The subject demanded consideration, and he would therefore move, "That a committee be appointed to inquire into the past and present state of the Supply of Water to the Metropolis, and the Laws relating thereto."

Mr. *H. Sumner* said, that he would afford every assistance in his power in furtherance of the object of the motion.

Mr. *M. A. Taylor* said, that with great deference to his hon. friend, he could not agree in all the statements he had made. Another opportunity would occur, when he should state the real facts of the supply of water, and the House could then judge whether the steps which he (Mr. T.) had taken on that subject were those which, if they had been sanctioned by the other House of Parliament, would or would not have given to the public every advantage which could have been desired. The plain question was, whether, by the institution of any other companies, beyond those which now existed, a sufficient supply of water would be afforded for the use of their families, and to give a proper degree of security in case of fire. The truth was, that when parliament sanctioned the new companies, the original companies were deserted by those who had previously taken water from them. The old companies found, that they could not procure the rate originally affixed; they lowered the rate, and the new companies were obliged to do the same. The consequence was, that unless some arrangement took place, the new companies could not support themselves; and the New River company, and the other original companies, could not carry on the supply. Under these circumstances, he felt, that if he could not do something for the companies, the town might be left without any water at all. It was a fact, that a hundred pound share in one of those companies did not produce 3½ per cent, and those who purchased 100*l.* shares at the depreciated rate of 40*l.* did not gain more than 2½ per cent. He had therefore thought, that something should be done to enable those companies to carry on their works; and the plan he proposed was the fixing a *maximum* rate, beyond which they should not go. After a minute investigation, he felt, that the only way to remedy the evil was, to propose a *maximum* to this House. He had therefore proposed, that the companies should not be allowed to charge more than 25 per cent above the rate of 1810. The hon. gentleman then adverted to the failure of different plans that had been set on foot, and observed, that, since his bill had been thrown out of the other House, a water fever had raged throughout the metropolis, which it was almost impossible to allay. He would willingly go into the committee, which, he thought, would agree in the utility of the plan he had proposed.

Mr. Alderman *Brydges* spoke in behalf of the Water Companies, shewed that some of them had made little or no profit, and wished the Committee to be an open one.

Mr. *Wilmot* thought it would be for those who went into the committee, merely to enquire into the means of doing justice between the parties. For himself, he did not see the advantages which an open committee would have over a select one.

The motion was then agreed to, and a Committee appointed.

FOREIGN TRADE.] Mr. *Wallace* said, he rose, pursuant to notice, for the purpose of moving, "That a select committee be appointed to inquire into the state of foreign trade." The subject was brought forward thus early in the session, in order that the labours of the committee might be laid before the House as early as possible, so that any suggestions that emanated from it might be speedily considered, and acted on, if approved of by parliament. He knew the subject could not have been placed in better hands than in those of the hon. member (Mr. Baring), who, in the last session, had so ably stated his opinions on this important question; but, it was deemed advisable, that a member of the government should introduce it, because ministers wished to prove to the House and the country, that the consent which had been given, on the part of government, to the formation of a committee of this nature, was not a forced or reluctant consent. They were anxious to show, that they felt the deep importance of the subject, and that they were willing to give every facility in their power to its consideration. He would not, in moving for a committee, go over those reasons and arguments which on a former occasion had been so ably urged, to show the necessity of an alteration in the existing system. There was, undoubtedly, great distress in the country. A part of that distress, which was said to be within the reach of the House, and to which legislative provision might be applied, was, he felt happy to say, in some degree abated, though not entirely removed. Some of the most important branches of our manufactures had been considerably improved; and it gave him pleasure to state, that the cotton-manufacturers in England and Scotland were generally employed. The same might, he believed, be stated of the woollen-manufactures. There were other manufactures, however, in a situation of very great, and, he feared, increased depression. But, they were returning to a state of things, which in the end, would, he doubted not, prove most favourable to the country. The different branches of manufactures were so intimately linked together, that the distress of one must necessarily affect others. Now, if this were the fact, it was rational to conclude, that those branches which happened at a particular period to be depressed, would, in an equal degree, be improved by the increasing prosperity of other branches. But, it was not merely because distress existed in the country, that government thought it right to sanction an inquiry into the state of trade. If no distress existed, still government would be most anxious to consider this subject —partly on account of the altered situation in which the country was placed, in consequence of peace, but also with reference to the commercial exertions which were making in some of the countries around them. That commercial spirit which had recently arisen, and which rivalled England in almost every part of the world, rendered it necessary, that we should adapt our system as far as possible to existing circumstances. In war we were enabled to maintain an exclusive foreign trade by the protection which our fleets afforded; but now we were compelled to admit of the commercial competition of other countries; and although our enterprise and the skill of our manufacturers gave us considerable advantages on the continent, it was impossible to disguise the fact, that the industry of this country was labouring under burdens which pressed on the industry of no other country in Europe. It was this evil which rendered our advantages almost unavailing; and the only mode in which we could hope successfully to meet it was, by a full and complete revision of our commercial system, with a view of removing, as far as it was possible to remove them, the difficulties and embarrassments which operated so prejudicially on the skill and enterprise of our manufacturers and merchants. In doing this, we must not expect, that other countries would relax in their commercial efforts. We must also get rid of that feeling of appropriation which exhibited itself in a disposition to produce every thing necessary for our own consumption, and to render ourselves independent of the world. No notion could be more absurd or mischievous. It led, even in peace, to an animosity and rancour greater than existed in a time of war. Undoubtedly there would be great prejudices to combat, both in this country and elsewhere, in the attempt to remove the difficulties which were most obnoxious. It would be impossible to forget the attention which was in some respects due to the present system of protections; although that attention ought certainly not to be carried beyond the absolute necessity of the case. Among the various objects to which the Committee of last session had turned their attention, the state of the Navigation Laws was one of the most prominent. Aware of the important discussion which was about to be renewed, he was anxious not to intrude long upon the House, and therefore, he would merely say, that he proposed bringing in bills for carrying into effect the recommendations of the Committee in that respect. Another recommendation of the Committee, which was of the utmost importance, related to the simplification and the consolidation of the commercial laws of the country. A third related to the burdens to which foreign ships were subject in our ports, and which led to a severe retaliation on English ships in other countries. It was undoubtedly a matter of great importance carefully to watch over our shipping interests. This and other subjects required immediate and persevering attention; in order, that the trade of the country might reap the full advantage to which it would be entitled from any opening that might be made for its extension. This, he was persuaded, could be effected only by a recurrence, as far as was practicable, to the true principles of the commercial system. Without some effort of that kind, it would be impossible to maintain the trade of the country, on the support, if not on the extension of which our strength and resources so principally depended. The right hon. gentleman concluded by moving, "That a Committee be appointed to consider of the means of maintaining and improving the Foreign Trade of the country."

Mr. *Curwen* was convinced, that any improvement in the condition of the commerce and manufactures of the country must proceed from an improvement in the condition of our agriculture, now in a state of such severe depression.

Mr. *Baring* observed, that it was unquestionably most desirable to examine how it happened, that in the sixth year of peace not any amendment had evinced itself in the condition of the country. Our agriculturists, our manufacturers, and our commercial men, all expressed to the House the uneasy state in which they felt themselves, and the distress which they suffered. To enter into the causes and the most advisable remedies for that distress, would be, to go into a question of great length. At present, therefore, he would content himself with declaring his satisfaction at the right hon. gentleman's proposition, and his persuasion, that the inquiry would derive great advantage not only from the right hon. gentleman's official situation, but from his personal talents and experience. He could not help flattering himself, therefore, that benefit must be derived from the labours of the committee.

Sir *John Newport* thought it desirable, that both Houses should act together in the mode of inquiry, and decide as promptly as possible upon one common course. Nothing was more fatal to any branch of trade than to be kept lingering in a state of uncertainty.

The motion was agreed to, and a committee appointed.

SLAVE TRADE.] Mr. *W. Smith* said, it was now nearly fourteen years since this country had declared the crime, disgrace, and shame which attached to the African Slave Trade. No sooner had that desirable object been attained, than we turned to the other powers of Europe, and endeavoured to procure from them the same determination. In the peace of 1815, the exertions of the noble lord opposite, procured the abolition by the united voices of almost all nations. He was happy to say, that the noble lord, in employing his able exertions in the cause, had been supported by one of the greatest sovereigns in Europe, the emperor of Russia. He also had to mention a noble duke, to whom the country was so deeply indebted, as being among the most strenuous in accomplishing this great object. And for that alone, besides his other high services in the field, the country owed him everlasting gratitude. At the period to which he had alluded, every power in Europe was assembled at the congress of Vienna; and there they agreed in declaring, that the Slave Trade was contrary to all the principles of humanity and of morality. How, then, came it to pass that a period of five years had elapsed, and these powers had afforded no co-operation for carrying their declaration into effect? It therefore appeared, that we had only prevailed upon them to agree to the abolition in word, and that they were not disposed actively to co-operate with us in deed. Denmark had indeed done so, and America had done so. America had not only done that, but by an

Act of Congress she had declared, that Missouri should not be admitted among the federal states, until every kind of slavery was abolished in that country. But by France, Spain, and Portugal, upon the southern coast of Africa North of the Line, called the Gold and Ivory Coast, the trade was still carried on in a manner more disgraceful than had been witnessed even in the worst times of the British trading. He concluded by moving for copies or extracts of all communications received by the Lords of the Admiralty from the officers of the navy employed on the coast of Africa, relative to the Slave Trade, from the 1st of January, 1819; with copies of Instructions issued by the Lords of the Admiralty to those officers; and copies of various other papers and communications relative to the present state of the Slave Trade.

Mr. *Wilberforce* acquiesced in every thing which his hon. friend had stated.

Lord *Castlereagh* assured the hon. member, that every effort of the government had been directed to the subject of the present motion. It was most satisfactory to him, that parliament should, from time to time, take up the consideration of this important question.

The motion was agreed to.

Conduct of Ministers relative to the Proceedings against the Queen.] The Debate on the motion, "That it appears to this House, that his "majesty's ministers, in advising the "measures which have led to the late "proceedings againgst her majesty the "Queen, were not justified by any "political expediency or necessity, and "that their conduct throughout the whole "of those proceedings has been productive "of consequences derogatory from the "honour of the Crown, and injurious to "the best interests of the country," being resumed,

Sir *Robert Wilson* rose. He said, he could assure the House, that it was not his intention to detain them by any lengthened arguments; but he felt it to be his duty to communicate some important information which he possessed, relative to the discussion before the House. As far as he understood the arguments of the right hon. gentleman (Mr. Bathurst) who had spoken first in opposition to the motion, he had not attempted to justify the conduct of ministers, but had rather expressed a wish, that the House should overlook errors that might have arisen from the complicated course which they were obliged to follow. The hon. member for Corfe Castle had, in the exercise of his rigid impartiality, taken a different course: he had condemned the beginning, the middle, and the end of the proceedings adopted by ministers; and he (sir R. Wilson) had been particularly struck with the word *end*, because he saw no termination of these proceedings. The member for Oxford had admitted, that ministers had committed three errors—not indeed of great intrinsic demerit in themselves; but important on account of their prejudicial influence in a public point of view. In every other part the right hon. gentleman approved of the conduct of ministers, and thought they could not have acted otherwise, consistently with that purity of motive by which he believed them to have been actuated. It was, however, a maxim founded on the experience of all human transactions, that men's motives were to be judged of by their actions; and while it remained for ministers to explain any motive that appeared of a doubtful character, it was for him (sir Robert) to show, that they had committed great errors in the discharge of their duty. One thing, he thought, was clear; namely, that errors of ignorance or of incapacity on the part of public officers must be visited in the same manner as if they proceeded from impurity of motive, because their consequence to the public was equally detrimental. That was a principle applicable to the conduct of generals, admirals, and all military and naval officers, and was uniformly recognised in every court-martial; and he could see no reason why it should be excepted, or, indeed, why it should not be more rigorously enforced, in the case of a minister of the Crown. There was one circumstance, at least, that justified a suspicion of the motives of ministers, and that must continue to do so until they gave a satisfactory explanation—he meant the time chosen by them for instituting the Milan commission. It was immediately after the princess Charlotte had been removed from her parent by her premature death; and he must contend, that the selection of such a time for instituting such a commission was a circumstance of a notoriously suspicious character. He did not accuse ministers of having purposely selected that moment;

but the fact was, that they then subscribed an instrument instituting the Milan commission to collect evidence respecting charges, which he believed had not reached them by hearsay, but had originated in the impure source of Hanoverian agency, that united with English gentlemen, the Omptedas and other infamous characters with whom the conspiracy originated. He did not indeed hold ministers accountable for all the transactions of that commission—for all that had been disclosed in the House of Lords respecting the subornation of discarded servants and the attempts to prevail on them to give false evidence against their benefactress; nor did he accuse them because they had acted on the depositions submitted to them; but when they found, that these depositions contained charges derogatory from the honour of her majesty, it was their duty to ascertain, as far as they could, whether the witnesses were persons of candour, and to endeavour to corroborate their statements by other testimony. The House had at least one proof that ministers had not taken these precautionary measures. It would be recollected, that when the noble lord brought down the green bag, he stated—and, feeling as he did for the unfortunate object of the charges, the declaration of the noble lord had struck him with terror—that the depositions contained in that bag were made, not by unknown and anonymous witnesses, but by persons of character, and entitled to credit. He had a most distinct recollection, that the noble lord vouched for the character of the witnesses, and that his statement on that subject was made in reply to a question put from the Opposition side of the House. But, when the Attorney-General acquainted the House of Lords with the nature of his charges, and the characters that were to support them, it appeared, that they rested on the evidence of persons the very description of whom did not attach much credit to their declarations. What was the reason that individuals of higher character had not been examined? There were then English gentlemen and ladies of rank and distinction attached to her majesty's household, and other persons of high rank and character had been travelling on the continent during her majesty's residence abroad, whose testimony might have been obtained. There were many charges against her majesty that might have been proved or disproved by a cloud of witnesses of unquestioned honour and veracity, had it pleased ministers to call on them for their evidence. He had stated to the House on a former occasion, that there was no person at the court of Naples who was not ready to swear to the falsehood of the charges respecting her majesty's conduct at that court; but, were there not also other persons of respectability who might have been competent to give evidence? Was her majesty living in so retired a manner that the Italian nobles had no knowledge of her conduct? He said, with confidence, that it was the duty of his majesty's ministers to have made beforehand those inquiries which would have shown whether they were justified or not in stating, in the preamble of their bill, that the Queen's conduct had been such as to bring disgrace on the country. But it might be asked, why this information had not been brought forward sooner. The answer was, that there had not been time to bring it forward before the close of the trial. He would now read several extracts from evidence which ministers might have had before they brought in their bill. The House was aware, that her majesty had lived three years at Pesaro, which was not a village, as had been represented, but a city of great consequence. The first extract which he should read was from a deposition made by the bishop of Pesaro, domestic chaplain to the pope. After stating in the strongest language, that, during her residence of three years at Pesaro, nothing injurious to the honour of her majesty had ever come to his knowledge he went on to say—"We further certify, that, in the fulfilment of our pastoral duty, we continually receive secret notices of the conduct of individuals living in our dioceses, but we have received none of this individual, that could give us reason to suspect the decency of her majesty; nor can we doubt, that, had there really occurred any scandal, it certainly could not have remained concealed from the vigilance of our court.—August 26, 1820."

The next extract was from a letter of Cardinal Albani, a person pre-eminent for his virtues, and who would gladly have come over to this country on her majesty's behalf, had it been in his power:—"Certainly your majesty having deigned to allow me to attend your court, both in Pesaro and in Rome, I should have been more able than any other to have done justice to those eminent virtues which I have admired in your majesty; and I should have been able to testify, that, in the various occasions I have had the good fortune to approach your majesty, you have been always surrounded by the most select society, and that your discourse, your manners, and deportment, have all corresponded, and been such as became a personage of your exalted rank. But all this, which my circumstances so unfortunately prevent my attesting in person, I am certain can be done by many other Italian gentlemen, distinguished by their birth, merit, and probity.—August 13, 1820."

The next deposition was one from count Alexander Volta. That distinguished individual declared as follows:—"On all occasions, which were very frequent, visiting her sometimes in the morning in her boudoir—sometimes at her conversazione in the evening—at other times accompanying her in her walks, &c. I always observed united in her the most gracious affability and the most noble decorum, such as to be often noticed by me to the various other noble and distinguished personages, who enjoyed the honour of her society." The last to which he should refer, was from a man of equally respectable character. Professor Tamasia made the following declaration:—"Admitted by the nature of my office into the interior apartments, I never saw any thing in her manners that was not decent and correct; and with the persons of her court whose offices attached them most to her person, I have always seen her preserve that decorum which, without varying from that goodness which is natural to her, respected the bounds prescribed to her by her high rank. To her inferiors her majesty certainly was more condescending than, unfortunately, is usual to those moving in a high sphere, and I have seen her majesty, though scarcely recovered, go down and visit the lowest of her domestics herself, causing the medicines to be administered, and attending to see that every the smallest assistance possible was rendered to them. With respect to the persons with whom her majesty liked to associate principally, they were chiefly persons the most distinguished in the country, both in point of rank and profession."

It had been stated, in enumerating the charges against her majesty, that she had been black-balled by the Cassino, or Society of nobles, at Milan; and to show, that the truth of this charge was equal to that of the others, he should read the following extract from a certificate which the Austrian government had allowed to be made:—

"The directors of the society of nobles of Milan do certify, that it does not appear from the registers and journals of the said society, from its first establishment up to the present day, that her majesty, during her residence in Italy, ever made application to be admitted as a member of the said society of nobles." It would also be recollected, that one of the principal charges against her majesty was founded on her conduct at Trieste, and that the number of the days, and even of the hours, during which she had resided in that place, had been stated in the evidence for the prosecution. He wished to ask the noble lord opposite, whether there was not a British consul at Trieste at the time this charge was got up, and whether any inquiry had been made of him as to the truth of the statement? He believed that no such inquiry had been made; and of this he was certain, that her majesty stayed at Trieste only one night. He was sorry to state, to the disgrace of the Austrian government, that an application for permission to consult the public registers of the city had been made, for the purpose of finding her majesty's name in the lists of arrivals and departures, and that that application had been refused. Permission was indeed reluctantly given at last, but the evidence afforded by it came too late to be of use in her majesty's defence. As to the charge founded on the sudden elevation of Bergami, he had reason to know that that individual was entitled to all the marks of distinction he received. In forming a correct judgment on this subject, it was to be remembered that in foreign countries, where people had been rendered so familiar with revolution, not only in kingdoms but in families, it was not customary to ask what a man originally was, but whether he deserved the station he occupied. He remembered, that when he was at Berlin, the present king of Sweden, at that time Crown Prince, recognised an individual, who had formerly been a fellow-domestic, in language that did honour to his heart.—He would ask, against whom this prosecution—this persecution, had been commenced?

He called it persecution; because, what peace, what repose could the Queen enjoy, while ministers refused to do an act so necessary to her honour and character —an act at once just, politic, and gracious? Had any person in any situation of life drunk deeper of the cup of affliction than her majesty? Did not the very wretches who came forward to depose against her, admit her constant benevolence and her generous magnanimity? She had not refused to visit the sick when afflicted with the most pestilential disease. Like the good Bishop of Marseilles, she had

———" drawn her breath
" Where nature sickened and each gale was death."

The plague itself had no terrors for her, when her presence could be either a comfort or a utility. Should not conduct like this excite some sympathy, some kindred feeling? It was said, that some publications, in the name of her majesty, contained violent and indiscreet passages: but those who made the accusation ought to recollect the situation in which her majesty had been placed; they ought to recollect, that the Queen had forborne to wield the formidable weapon of recrimination, and which the noble lord well knew, she could have wielded with a power so destructive. The right hon. member for Oxford had asked—" What! shall we let adultery triumph on the throne of England?"—and he had asserted, that it was the same thing, whether committed on the shores of Britain, or on the waves of the Mediterranean. If that were true, then it was the same thing, whether ministers afforded adultery the means of triumph in Italy or in England. Yet, had they not offered to recognise it with the grant of sovereign power, and to aid it by an income that would have secured to it every means of indulgence and impunity? He was one, however reluctant some might be to give credit to the assertion, who deeply lamented that the prayer for peace out of doors had met with no corresponding echo within the walls of parliament. Glad indeed should he have been at this moment, if ministers would have allowed him to convert a resolution of censure into a vote of thanks—to construct, out of prevailing confusion, a temple of concord, by a concession on their part, that would at once entitle them to the love and gratitude of their country. Such an expectation, however, was vain. Ministers were determined to keep alive the irritation of the country. It was idle in them to charge others as the disturbers of the public peace; they were the great leviathans of anarchy, and their cabinet was the great revolutionary engine which menaced the country with more danger than had ever yet been threatened by any subversive power. He had only to state, that being himself an advocate of reform, he had always thought more strongly in its favour than was calculated to promote his personal interests. Upon two contingencies, he was both ready and willing to retire from public life. He should solicit his constituents to substitute some other representative in his place, whenever the House of Commons had proceeded to such an extremity of disregard to the wishes of the people as to deprive it of all confidence in its measures. He should no less be willing to withdraw into privacy, without recompense for any poor services it might have been his good fortune to render, whenever it appeared that his presence offered obstacles in the way of any arrangement essential to the welfare of his country.

Mr. *Huskisson*, after stating his reason for now breaking through the practice of a long parliamentary life, by troubling the House on a general question like the present, proceeded to advert to some of the topics already introduced in the course of the debate. In the first place, he must observe, that what had fallen from the hon. member for Corfe-castle, had been grossly misunderstood and misinterpreted; his hon. friend had not disapproved of the beginning, middle, and end of the proceedings against the Queen; he had only gone to the extent of saying, that he was not completely satisfied on the subject, adding, that if the matter were to be commenced again, he did not know, if he had been a minister, how he could act otherwise. Next, with regard to what the same hon. gentleman had remarked on the subject of the peace of 1815, that peace did answer the description he had given of it. At least, some valuable acquisitions were made by this country, and an exalted notion had been raised among the nations of the world as to her character, vigour, and resources. Such was his (Mr. H.'s) opinion; and it was not to be altered by an incident occurring in the sixth year of peace, which no wisdom could have foreseen or prevented, and by which, he trusted, the tranquillity of Europe could not be disturbed. The very fact, that we were now in the sixth year of peace, without the slightest armament in that period to support our relations, or maintain our rights, was of itself a strong proof in its favour. An hon. and learned gentleman had last night spoken of the six bills passed three years ago; and, when the House recollected, that they were formerly denounced as destructive of the first principles of the constitution, it was not a little singular to hear them now charged with being wholly ineffectual and inoperative. Although they had been once represented as intolerable in a free state, and as subversive of the liberties of a free people, he (Mr. H.) was satisfied that we were indebted to those measures for the revival of industry, and for the protection of life and property in the disturbed districts. There was another remarkable feature in the late discussions. Gentlemen came down deprecating all irritation; they were all anxiety to soothe and to allay the troubled spirit in all quarters of the kingdom; but the course taken to accomplish this most desirable object seemed truly extraordinary. Not an occasion had been allowed by them to slip without charging ministers as persecutors—as determined to persist in a course of violence and outrage—as guilty of a foul conspiracy—as condescending to the meanest servility from the basest motives; and, as proceeding against an innocent female rather with the malignity of fiends, than with the feelings of men. The surprise, on the other side, was, that when these charges were so boldly made, any defence should be offered on the part of ministers; for, their opponents wisely held, that peace would soon be restored in the country, if the servants of the Crown would admit their guilt, and sue for mercy!—He would now notice the late proceedings in the House of Lords; and, in the outset, he felt bound to admit, that though the administration of an oath, and the attendance of the judges, gave the peers many advantages, yet, as a member of the House of Commons, he could not have been satisfied to inflict the slightest punishment or degradation, upon that evidence. At the same time, the information which the other House could supply, deserved to be looked upon with the utmost respect, as coming from the highest authority. He did not say, that the proceeding was to be brought to a legal issue; but he admitted, that the acquittal was a legal acquittal; in consequence of which, her majesty was in possession of all the privileges and dignities that of right belonged to her as Queen of England. They had been recognised from the highest authority—in the speech from the throne; they had been allowed and confirmed by parliament in all respects but one, and that one he was entitled to say, in the words of her majesty's chief legal adviser, was "a trifle light as air." The learned gentleman had endeavoured to do away the effect of that admission, by stating, that he had sacrificed his private character as a member of parliament, to his public capacity as the legal adviser of the Queen. In that particular, the House had a right a little to complain. On the 21st of February last, the learned gentleman had admitted, that the point of the Liturgy was "a trifle, light as air;" yet, those words were now to be construed as the convenient assertion of an advocate, and not as the honest conviction of a member of parliament. At that period there was no reason to suppose that the unhappy circumstances since disclosed would be made public, nor had the House any reason to think that there was any counsel for the Queen in the House: the opinion of the learned gentleman then delivered, was therefore calculated to mislead the House, and influence the decision. If, however, this point of the Liturgy were really of such paramount importance—if it were really such an indispensable condition, he begged leave to ask whether, in the confidential communications the learned gentleman had had with the responsible advisers of the king, he had ever so represented it? From any thing that then passed, they had never been led to believe that it was considered so formidable an obstacle. It was certainly reasonable in the hon. member for Corfe-castle to remind the learned gentleman of his long-promised explanation upon this and other points. He (Mr. H.) knew nothing of these transactions but from the public documents; but he saw that, on the arrival of the Queen in this country, the ministers of the Crown affirmed, that they then, for the first time, had heard of the difficulty concerning the Liturgy. It would be for the learned gentleman to explain how he could undertake to make their proposals to the Queen, if he knew, as he now said he had all along known, that the Liturgy was a point which her majesty never could concede. Her majesty had, through that learned gentleman, transmitted a message to the House, stating that she could not listen to any terms of accommodation unless her name was restored; but, perhaps, before another year should elapse, that learned gentleman would come down to the House and declare, that having at the time of bringing down the message a sacred duty to perform, he could not but maintain its propriety; but that time having elapsed, his opinion had changed, and he was at liberty fully to state to the House how much he regretted that the agitation of the country had been excited in consequence of that measure.—He need scarcely repeat the fact, that her majesty was fully in possession of all her legal privileges, rights, attributes and authorities. More than those she was not in a capacity to demand, and the conduct of the gentlemen opposite placed her in a delicate situation, when they compelled ministers to state the grounds on which matters of grace and favour were withheld.—He would briefly state the facts by which her character was affected. In the year 1806, there was an inquiry into her majesty's conduct, which was followed by an admonition from his late majesty with respect to her future conduct. In 1813, a Privy Council was held, not consisting of his majesty's ministers, but of the principal law-officers of the Crown, the heads of the ecclesiastical establishment, and many of the peers of the United Kingdom, the result of which was, that an order was issued, stating, that it was essential the intercourse between the princess of Wales and the princess Charlotte should be restrained. What impression those things ought to have made on the mind of her majesty, and what precaution they should have induced her to adopt with regard to her future conduct, he would leave it to gentlemen to judge. Whether they had had the desirable consequence, was seen by the event. If he could regard the Queen, then the princess of Wales, abstractedly from her high situation in the state—if he could look upon her without taking into his view what she owed to her rank and station—if he could, in short, consider her as a woman in a state of separation from her husband, God forbid he should visit with severity her conduct as a private woman so circumstanced! He believed he should not be thought the worse of, as a man and a Christian, for making allowances. But to return to the facts—her majesty went abroad in 1814, after that admonition which her king and father had given her, and there she formed a connection, whose object he would not exactly define; but he would say, that she entered on a course of life, which, if innocent, never was there a course of life which excited suspicions more unfavourable to her majesty. Was it possible to look at the individual, and the manner in which the princess treated him, the honours which she heaped upon him, and all those acts of particular attention which she manifested towards a menial, without great suspicion being excited? It was not until after these things had become matter of notoriety—until after the most disadvantageous reports became daily stronger and more numerous, and those persons of distinction who had accompanied the Queen, began to abandon her society; it was not until after all those circumstances had concurred in forcing the subject of the Queen's conduct upon the attention of government, that it was deemed necessary to institute any proceedings in the case. He need not remind the House of the rumours which then prevailed all over Europe. If it had been a case of private life, it might have been difficult to decide which line of proceeding would have been the wisest; but even in private life, such circumstances as tended to violate decorum and outrage the feelings of the husband, even where the parties were living separate, would require some notice to be taken of the degrading connection. If this was the case in private life, what less could be done where one party was a menial and the other a wedded princess, and both living upon terms of undisguised familiarity? Not to take notice of such matters would not be consistent with wisdom or sound policy. He did hear, with surprise, last night, from a gentleman who addressed the House, for the first time, with great talent (Mr. Whitmore), that there was no danger to the succession from a spurious issue, and that therefore the levity of the Queen's conduct was not a subject of national consideration. But he would ask, if what tarnished the honour of the sovereign, did not tarnish the crown and degrade the character of the country? The honour of the sovereign and that of the state were not to be separated, as the former represented the latter with all foreign governments. The result of the inquiries which ministers had made with respect to the conduct of the Queen, was such as to require an immediate decision on the subject of the Liturgy. Ministers had, last year, entertained hopes that the matter might have terminated by an amicable arrangement; and this they were led to believe the more by the communication which they had with the learned gentleman who was her majesty's confidential agent, and by the proposals connected with that communication, which appeared likely to avert the necessity of a hostile discussion. The basis of those proposals was, the residence of her majesty abroad, and her accepting some other title, beside that of queen of England. When, therefore, his majesty's ministers were called on to decide upon the question of the Liturgy, they were led to believe, that this arrangement might take place; and if it did not, the other unfortunate alternative must ensue, and left them no option. Now, supposing the arrangement did take place, it was not possible that her majesty, giving up the title of Queen, and residing on the continent, should wish her name to be repeated in the Liturgy at home, as Queen of England; and then, on the other hand, if the negotiation did not terminate satisfactorily, hostile discussions must follow; and it was a duty which ministers owed the Crown not to advise that her majesty's name should be, under such circumstances, honoured by an insertion in the Liturgy. Ministers were consequently right in either alternative. —As to the present motion, the real practical question of the noble lord meant nothing else than the removal of ministers under a vote of censure. By what fell from the noble mover, it appeared, that this motion was framed in the spirit of consummate generalship. If the motion succeeded, the issue would be complete, the result and reward of many well-fought days would be at once obtained. The gentlemen opposite would look upon it as a sort of political battle of Waterloo, though the country might look at it in a different point of view: the party whose measure it was, would consider it the termination of all their wars, troubles, dangers, and disappointments; but more impartial and reflecting persons would look upon it as the era of new dangers, difficulties, and alarms. But if the party even failed in this question, it was part of their generalship, that even their failure would be mainly auxiliar to the object which they had in view. It was stated, that in such an event the table would be covered with petitions for parliamentary reform; no doubt instructions had been dispatched to that effect, from the general in chief to the different quarters. The quarter-masters were all upon the alert—the sentinels all at their post: if all these exertions were not sufficient, he presumed a levy *en masse* would be proclaimed, and the landwehr called out, to carry the great object of parliamentary reform. But he believed ministers would meet these formidable preparations on every point of attack, and perhaps discomfit even that consummate generalship which was so much relied on.—The right hon. member proceeded to observe upon the difference of opinion with respect to parliamentary reform, and the difficulty of reconciling the wishes of different parties upon this subject. He then reverted to the question of the insertion of her majesty's name in the Liturgy, and said, that if ministers were to rescind the act of omission, they would be voluntarily proclaiming, after the proceedings in the House of Lords, that her majesty's conduct was entitled to every distinction; that it was, if not praiseworthy, at least blameless;—and that since her return to this country she had acted in a manner respectful to the Crown, and dignified as far as regarded the country. It would be holding her up as a fit example for the subjects of the realm, and giving her conduct an influence upon the morals of the country. But he believed, upon the whole of her case, that there was not a presumption favourable to her majesty's innocence. He therefore could not agree to the address, while he was convinced that it was a difficult matter for any unprejudiced man to lay his hand upon his heart and say, that her majesty's conduct was such as became her station, or as became a modest female in a much humbler walk of life. The success of the motion would be the triumph of the language, conduct, and sentiments which her majesty had expressed since her return, over those institutions of the country, which she had reviled and condemned. As her legal rights were recognised, he did think that the provision, which, on the proposition of ministers, had been settled on her majesty, would have set the question at rest. For his own part, he had deprecated inquiry from the beginning, because he thought its result would be, to lower the tone of the moral and religious feeling of the country; but the course which the gentlemen opposite had taken, only aggravated the evil.

Mr. *Bennet* observed, that whatever the merits of the question might be, and however unwilling he was to draw upon the attention of the House, which the honourable gentleman had for the last half hour so agreeably enlivened, he could not omit the duty of putting his opinion upon record on this great occasion. He believed he could anticipate the result of the vote of that night; but as he was one of those who were likely to share in the ruin which the measures of ministers and the votes of their majorities, were bringing on the country, he was justified in endeavouring to avert that ruin, or at least in entering his protest against the perseverance in a line of policy which must be attended with such dreadful results. He did not intend to follow the right hon. member who had spoken last, through the course of his speech. He would rather make some observations on the speech of the right hon. gentleman who held the double office of Chancellor of the Duchy of Lancaster and president of the board of Control. And here he could not but remark, that every gentleman on the opposite side, with the exception of the ministers themselves, had carefully excluded all approbation of the conduct of his majesty's ministers. The right hon. member for Oxford was quite disinclined to approve of the conduct of administration in the main question. The right honourable gentleman, indeed, who followed the seconder, stated, that his majesty's ministers had received ample information relative to the conduct of the Queen from persons of rank and fortune. Now, he would be glad to know who those persons were? The noble lord opposite had stated last year, that the bill of Pains and Penalties would be supported by persons of credit and character; but they had since seen who those creditable persons were. He would wish to know, whether they were the same respectable authorities of rank and fortune to whom the right hon. gentleman alluded. It was strange that not one person of that description was produced at the bar of the House of Lords, to give a plausible character to that collection of gossip, scandalous detail; and falsehood, which, on the precious information that ministers had received, was produced against the Queen. He would, however, allow, that there was one person of rank from whom information might have been received; he meant the baron Ompteda, who, in 1814, was in Italy.—The hon. member then proceeded to comment upon the formation and conduct of the Milan commission, and the inevitable effect of its agency upon the refuse of the Italian population. He said that the country regarded with pity and scorn the low and infamous ribaldry which, upon the authority of that commission, the law-officers of the Crown had presumed to vomit forth. He contended, that the conduct of the ministers with respect to her majesty was such, as, if she had any sense of honour and character, was calculated to produce the very event which they pretended they did every thing to avoid; namely, the speedy return of her majesty to this country. And as she was a person who had the sense and spirit not to submit to wanton injuries, that event did take place. With her name out of the Liturgy, proscribed and excommunicated as she was, and hunted at every turn by the Hanoverian pack, she could take no other step. She had, in a letter to lord Liverpool, remonstrated against this treatment; but her remonstrance was neglected. She then came over to throw herself on the people of England, and was received as might have been expected. As she had suffered persecution without precedent, so she enjoyed a triumph which was unparalleled. As to the disgusting mass of evidence which had been so brought together, if one fortieth part of it were true, ministers deserved to be impeached for having tendered her majesty money; and if they did not believe the evidence, they ought to be impeached for instituting proceedings, which, beside the dreadful wrong they did her majesty, subjected the country to the inundation of a moral pestilence, which made even the daily newspapers be regarded as a curse, and driven from every well-regulated house, as if they carried the infection of a plague.—He then adverted to the conduct of Mr. Canning, who knew the Queen well, who knew the evidence well, and who stated in his place in the House of Commons, not surreptitiously but openly, and with the permission of the sovereign, that his attachment and affection to that illustrious person had not changed, and that she was the, "life, grace, and ornament of society." Was it possible that that right hon. gentleman could at that time have been in possession of all the odious details which were destined to be gone into, with respect to the conduct of the Queen ere this time? But he wished to do justice to that right hon. gentleman; and he begged to ask—perhaps the hon. member for Seaford could inform him—whether the right hon. gentleman, who had before this consented to the erasure of her majesty's name from the Liturgy, had not given that consent as a compromise, and with the understanding that it was to put an end to all farther proceedings? He did not know whether this was really the case; but he had heard it whispered, and he had no doubt that a part of it was founded in truth.—The great charge against his majesty's government was, an entire want of caution in receiving evidence, which would have been most scandalous in a proceeding against the meanest individual in the country. Who could have believed it possible, that in the trial of a Queen, there should have been a charge against her, in which it was sworn that she and her paramour were seen passing and re-passing from their respective chambers for five successive mornings, and that it should never have occurred to the law-officers of the Crown, or to the ministers who gave instructions to those law-officers, to inquire whether the Queen had or had not been five days in the place where those circumstances were alleged to have taken place? This charge was triumphantly refuted on the trial, and he (Mr. B.) heard the lord chancellor acknowledge, that is was refuted; for that learned lord admitted that the Gazette, though not legal evidence, was moral evidence to prove the impossibility of the fact being true. He put it to those who were acquainted with the evidence, to say whether this charge was not shown to be positively false; and he mentioned this part of the case as a sample of the way in which the whole of the evidence had been got up. When he looked to the consequences which had resulted from this criminal negligence, he must regard ministers as the authors of all the calamities which had been inflicted on the country; and thinking so, he thought them unfit to conduct the government of the country. They had done all that in them lay to tarnish the honour and debase the morals of the country. Within the period of a few short months, they had done more to lower the standard of moral purity in the country, than had been effected by all the seditious and blasphemous writers, from Tindal down to the present time. They had degraded all that was most sacred in the institutions of the country. If we looked to the Crown, he would ask every man who heard him, whether the discussions which had taken place had had not tended to lower the estimation in which monarchy was held, and in lowering the monarchy, to give a blow to the constitution, from which it was impossible to say when it might recover? In the next place, what had been the effect of these proceedings upon the ecclesiastical institutions of the country? As a member of the church of England, no man felt a greater reverence for that church than himself; but he must say, that the part taken by its members in the late proceedings had lowered it in the public estimation to a degree which he could not allude to without the deepest regret. What opinion must any man entertain of that body, who, wishing to learn the opinion of the protestant church upon the great question of divorce, and applying to the heads of it for information, should find that most of those reverend bishops and archbishops declared that the words of Christ were to be interpreted with reference to temporary and local circumstances? Some of those reverend personages, finding it convenient to their political interests to support the bill, had declared that the words of Christ were out of the question; and one of them, though he did not support the bill, declined to vote at all. Such was the disgust excited throughout the country by the conduct of the clergy, that in many places they were deserted by their congregations. He believed that the most serious mischief had been produced by their conduct; but, whatever mischief had resulted to the religious establishments of the country by the conduct of the heads of the church, or of the lower orders of the clergy, it was to his majesty's government that all those evils were to be attributed; for they would never have happened, if ministers had not launched such a firebrand into the country. The right hon. member for Oxford had talked of the attempts of a base and desperate faction to overturn the government of the country; but he had yet to learn the right which that right hon. gentleman, or any other man, had to designate any part of the people of England as a base and desperate faction. The right hon. gentleman had said, he had no doubt that the faction which supported the Queen would have been equally ready, under different circumstances, to turn against her. Now, he could tell the right hon. gentleman of a faction which actually had done so. That faction had made use of the Queen as a stepping-stone to their own ambition, and then, to use a familiar phrase, had thrown her overboard. When our late sovereign, her steady protector, was succeeded by an illustrious person, who certainly was not her best friend, that faction anxious to recommend themselves to the king, sacrificed the Queen to their own views of ambition, and, with a perfidy perfectly unexampled, they re-examined the identical evidence which they had formerly denounced as blasted, perjured, and infamous, in order to extract from it materials to justify the separation of that illustrious person from her child. The hon. gentleman who spoke last had alluded to the minutes of the order in council; and he (Mr. Bennet) having read the order in council that morning, thought it scarcely possible to apply any language too strong to the conduct of those who, having acquitted her majesty in 1806, afterwards turned round and employed that very evidence against her which they had before declared unworthy of credit.—Before he sat down, he wished to say a word or two upon the situation of the country. It was a fact which could not be disguised, that, from one end of the country to the other, wherever the voice of the people could be heard, nothing was heard but the language of complaint and indignation against the conduct of ministers. If, as was contended, the ministers possessed claims to the gratitude of the country for the glorious peace which they had obtained, what must have been their conduct to obliterate those claims from the minds of the people in so short a period of time? The people felt that the ministers had set the property, the honour, and the character of the country on a cast, and that they were such desperate gamesters, that they could no longer be trusted with the conduct of the government. Under such circumstances, the nation was compelled to look round, and inquire in what ranks other men might be found, to whom the public interests might be confided; for they were satisfied that no set of men, were their faults even as great as their worst enemies imputed to them, could be so lost to what was due to themselves and their sovereign, and to the honour and character of the country, as his majesty's present ministers. He concluded by declaring his hearty concurrence with the motion of his noble friend, and by saying, that such was his conviction of the unfitness and unworthiness of the present ministers for the situations which they held, that he would rather place his confidence in the first ten or twelve men whom he might accidently meet, than in them.

Mr. *Wellesley Pole* said, it was not his intention to detain the House long; but, as a member of his majesty's government, he could not sit silent under the charges which, on this and on the last night, had been brought forward against the administration. He felt himself obliged to the noble lord who had brought forward this motion, and to the hon. member who seconded it, for the distinct and candid avowal of their object. Upon a former occasion some doubt might be entertained upon the subject, but it was now fairly avowed, that the great purpose for which this motion was brought forward, was, to effect the dismissal of his majesty's ministers. As to the motion itself, it was a secondary consideration, it was merely a vehicle chosen to produce the desired change, and undoubtedly it was well chosen; because, it would carry with it a stronger force than any other that could have been selected. But the noble lord and the hon. member were not doing any thing new upon this occasion—they were only doing that which they had been doing ever since the present administration had been formed. There was scarcely one of the efficient acts of administration for the last ten years, which the hon. gentlemen opposite had not opposed, and for which they would not have been quite as ready to pass a vote of censure upon ministers, as they were upon the present occasion. It was important that the House should bear this in mind; because, when gentlemen so loudly exclaimed that the conduct of ministers for the last six months deserved all the censure it was now endeavoured to heap on their heads, it was but fair to ask, whether those gentlemen ever entertained any other opinion, and whether they had not been, at all times, and upon all occasions, equally violent in their opposition, equally loud in their censures, and equally anxious to effect the removal of the present ministers?—He would ask whether the gentlemen opposite had not held this language even upon occasions when it was quite obvious that the sense of the country was decidedly with ministers? He did not mean of the *whole* country, because it was certainly true that the present ministers never had the good fortune to possess the confidence, or obtain the approbation of the gentlemen on the other side of the House.—It was not his intention to enter at large into the defence of the conduct of ministers, because the House had already heard that conduct most triumphantly vindicated, and he did not wish to weaken the effect of speeches which must have made a deep impression upon the House; but there were some points that had been urged which he could not pass over without notice.

In the course of this debate, some declarations had been made and some doctrines laid down which were quite new to him, and which he believed were equally new to a great majority of that House. It had been stated by the proposers and supporters of this motion, that it was indifferent to them whether it met with the approbation of the House or not—it was immaterial to them whether the ministers possessed the confidence of the House of Commons or not—the confidence which those gentlemen wished to obtain was not that of the House of Commons, but of a certain class of people out of doors, who were always ready to oppose ministers. The opinion of the House of Commons was now, for the first time, declared to be of no importance—it was of no avail that the gentlemen of that House devoted their time and their faculties to the investigation of this great question; their decision was worth nothing in the opinion of the gentlemen on the other side; that is to say, if their decision happened to be in favour of ministers. He had, indeed, on former occasions, heard an honourable baronet deny that they were the representatives of the people; he had heard him call the House of Commons "that Room;" but he never heard or expected to hear it stated in that House, and by the Whigs too, that it was of no importance that the ministers of the Crown should possess the confidence of the representatives of the people—of the constitutional guardians of their rights. But it was very extraordinary to observe the great vacillation of the Whigs, upon this as well as upon other subjects. He was old enough to remember, that Mr. Fox (whose authority the Whigs would surely not disavow) had most strenuously contended in that House, that the opinions of the people could only be fairly sought, and really found there. The successors of Mr. Fox—the Whigs of the present day, maintained directly the reverse of that proposition; they contended, that the opinion of the people could only be found out of doors, and that it was to be sought for from day to day, and from hour to hour. But Mr. Fox not only maintained the opinion which he had just stated, but he was so unwilling that an appeal should be made to the people to know what their opinion was, that he proposed an address to his majesty, praying him not to dissolve parliament. It happened at that time, that the opinion of the people (an opinion not excited by artifice, not inflamed by clamour, not formed in heat, but upon calm deliberation) was adverse to Mr. Fox; an appeal to them was made, parliament was dissolved, Mr. Pitt's power was established, and the Whigs irretrievably defeated. He was sorry that they had not yet remaining amongst them so much respect for the memory of Mr. Fox as might induce them to say, that the opinion of that House deserved at least to have some weight. He did not mean to say, that they ought to go quite so far as to agree with Mr. Fox, that they should look exclusively to that House; but he thought they might go to the length of looking to it principally, and as the best standard of public feeling. His own conviction was, that no ministry ever did, ever would, or ever should exist one hour, unless it had the confidence of that House, and in the true sense of the words, the confidence of the people. The gentlemen on the other side might say what they pleased, but the feelings of the House of Commons and of the people always were, and necessarily must be, in unison. No ministers who had really lost the confidence of the people could long retain the support of the House of Commons; and this must always be the case as long as the House was constituted as it now was. He perfectly agreed with an hon. gentleman (Mr. Bankes) that the House, as now constituted, was most efficiently formed to support the interests, to watch over the rights and to protect the liberties of the people. It was true, that, in point of theory, many objections might be made to the construction of the House of Commons; yet, considered in its practical effects, in affording facilities to all classes and descriptions of people to be fairly represented, and to men of talents to obtain seats in that House, he was convinced that it could not be improved by any plan that the wit of man could devise.—He felt much pleased with the answer given by the hon. member for Devises on a former occasion, to an observation that he was returned by about twenty-four voters. He replied, that although the number of voters by whom he was returned was not large, yet, when he once took his seat in that House, he did not consider himself merely as the representative of that particular place, but of the whole kingdom, and that he was as much bound to watch over the interests, and protect the rights, of the inhabitants of every other part of the empire, as over those of his immediate constituents. If he wanted examples to prove the practical benefits that resulted from the construction of the House of Commons, he had only to cast his eyes opposite to him, and he should find them in abundance. An hon. and learned gentleman on the other side of the House, of whose brilliant talents no man could entertain a higher opinion than he did, afforded a most decisive proof of the advantages resulting from the present system of representation. That learned gentleman had offered himself as a candidate for two or three populous places, but belonging, as he unfortunately did, to a most unpopular party, had offered himself in vain. In Westmoreland he was completely defeated; in Liverpool he stood no chance; and the House would now have to lament the loss of his talents, if he had not had the good fortune to be snugly seated for one of those boroughs which some of his friends around him described as the opprobrium of our representative system. That learned gentleman was, though so returned, as good and efficient a member of parliament, and as sound a whig, as if he represented Westminster. A right hon. gentleman near him, deservedly high in the estimation of the House and of the country for his abilities, had been driven out of the populous borough of Southwark, and if he had not found refuge in one of those much-abused boroughs, the leader of the Whigs would not now have a seat in the House of Commons; and yet he was as good a leader of the Whigs as if he sat for the most populous place in the empire. Another hon. and learned gentleman, of whose talents and constitutional knowledge he wished to speak in the highest terms, was seated for Knaresborough very snug! but if that honourable and learned gentleman were the orator of the human race, if he represented all Europe together, it could not make him a better member of parliament. But it was useless to multiply instances; however defective our system was in theory, it was most admirable calculated in the practice to bring into that House, the talent, the intelligence, and every other requisite that was essential to the character of a good member of parliament. He could not, therefore, agree with those who called so loudly for parliamentary reform: more especially as he found, that no two of them agreed upon the plan which they would substitute instead of the present system. It appeared to him much wiser, instead of adopting wild and visionary theories, and making sweeping alterations, to proceed gradually, and when we found a blot, to hit it, and to mend it.

With respect to the question immediately before the House, it would not be necessary for him, after all that had been said, to occupy much time. As to what took place before the Queen came to this country, it was only necessary to observe, that if the proposition made to her majesty at St. Omer's, deserved any of those hard epithets which had been so liberally bestowed upon it, the learned gentleman, her majesty's principal legal adviser, would not have been the bearer of it. He would not now enter into the question who first suggested that proposition; but when that learned gentleman left this country as the bearer of it, he knew that ministers were in possession of facts that would constitute a grave case against the Queen, and that if her majesty came to this country they could not avoid taking further steps. It was quite impossible, therefore, for that learned gentleman to agree with the hon. gentleman who spoke last, that the conduct of ministers on that occasion was not only unjust, but base.

After her majesty had arrived in this country, when his noble friend moved for a committee, he distinctly stated, that he had grave charges against the Queen. The House then knew that ministers were in possession of evidence which, in their opinion, was sufficient to support that charge; and it approved of the ministers pausing in their proceedings, and negotiating with her majesty. The House afterwards approved of the motion made by the hon. member for Bramber. It was evident, then, that ministers, so far from being desirous of bringing forward this investigation, took every means in their power to avoid it; and it was equally clear, that the House approved of their conduct in so doing. He did not expect that the gentlemen on the other side would approve of the conduct of ministers, but the House could not, he thought, withdraw the approbation of that conduct which it had so distinctly given.

As to the proceedings in the House of Lords, he would offer but a word on them, seeing that those proceedings were on the Journals of the House, and that those Journals were published at the close of the session, by which means they became accessible as public documents, it was idle to pretend that we knew nothing of them. It was his wish to abstain from entering into any discussion respecting those proceedings; he should be sorry to say one word that could inflict pain upon the illustrious person who had been the subject of them; but, with the consciousness that the whole was now before the public, he would declare, that he believed that there was not one man in the kingdom who, before the proceedings in the House of Lords, thought the ministers honest men, that did not, after those proceedings were over, think that what had passed in that House afforded an ample justification of ministers for the step they had taken. Upon the question of the Liturgy, it was equally unnecessary for him to dilate. It was quite impossible for ministers to give his majesty any other advice than that which they had given; it was not considered—it was not recommended as a punishment upon her majesty. The ministers conceived that this was a point completely within the prerogative of the Crown; and, under all the circumstances of the case, they did not feel it to be their duty to advise the king to confer upon her majesty that mark of special grace and favour. When the subject of the Liturgy was first discussed in that House, a right hon. gentleman opposite to him reprobated it in strong language as degrading to the Queen; but the learned gentleman (the Queen's attorney-general) denied that position. He did not consider it as being of any moment whether the Queen was prayed for by name in the Liturgy or not; in a word, he considered it as a "trifle light as air," compared with what he called her just rights. What happened afterwards, when a negotiation took place between the noble lord near him, a noble relation of his, and the two learned gentlemen on the other side (the Queen's legal advisers)? Upon that occasion the learned gentleman seemed in doubt whether the omission was legal or not; but he considered it as admitting of an equivalent. Now, if it were an illegal act, it could not admit of an equivalent. In that case, it would have been the duty of the learned gentleman to have broken off the treaty at once. But after all that, the learned gentleman's opinion underwent another change; for in the debate a few nights ago, he came round to the opinion of the learned member for Oxford, and pronounced the omission of her majesty's name from the Liturgy to be most decidedly an illegal act. And when afterwards the learned gentleman was charged with some inconsistency upon this subject, what was his answer? Why, he said, that "he considered it as sound philosophy, when a man received an injury from a person in authority, and could not get redress, to disguise his sense of that injury, and undervalue its extent." If this was true, said the learned gentleman, between two individuals, how much more was it so when one of them was an advocate, the advocate of a woman, and that woman a queen? Such was the learned gentleman's language as an advocate and as a sound philosopher; and when ministers heard it, they were silly enough to think they had a great authority in their favour; but when the learned gentleman came to speak as a member of parliament, he completely undeceived them; for upon the motion of the noble lord, a few nights ago, the learned gentlemen declared, that he considered the omission of her majesty's name in the Liturgy as "decidedly illegal", and reprobated it in the strongest manner; and yet he voted for the resolution, which merely stated, that the omission was "inexpedient and ill-advised"; whereas, if it was of the nature he had described it in his speech, he ought to have moved, as an amendment, that it was illegal. The learned gentleman had thus ingeniously contrived to display himself in both his characters in one night; for he had spoken as a member of parliament, and voted like an advocate, and a sound philosopher [a laugh].

It had been repeatedly said, on this and former nights, that the whole country was against ministers upon this question; yet it was worthy of remark, that after this most illegal act, as it was called, of omitting the Queen's name in the Liturgy, had been committed, the parliament was dissolved, and a general election took place. But then, when the people were left to their own judgment—when their minds were not misled, or their passions inflamed, not one word was said upon this subject—not one of the gentlemen opposite considered it as a topic which he could urge from any hustings in any part of the kingdom with success.—Upon the assertion, that ministers had lost the confidence of the country, he wished to say a few words. The present administration was opposed by the whigs, a party possessed of great wealth, talent, and respectability, professing a warm attachment to the constitution, and honourably united together for the purpose of getting into office, in order that they might thereby serve the country more effectually, according to their own system and principles. They were opposed by another party, inimical to all the existing establishments in church and state—they were called the Radicals, a party numerous, active, assiduous, and persevering; and, he was willing to admit, that they were as different from the Whigs in character, and in their objects, as "light from darkness." These two parties, however, so essentially different in every thing else, agreed in one point. The Whigs had found out, that they could do nothing that was good; and the Radicals had discovered, that they could do nothing that was bad, while the present ministers remained in office; and therefore, these two discordant parties heartily joined together to turn them out. This junction had given them the appearance of strength; but still that strength was only formed by the union of those who always opposed ministers. The opponents of ministers at all the public meetings were composed of Whigs and Radicals. Witness the meetings at Liverpool, at Bedford, in Hampshire, in London, &c.; but, that the public opinion was not so hostile to ministers as gentlemen asserted, appeared from the number of loyal addresses that were pouring in from every part of the country. It had been said by a noble lord, that these addresses were got up, to bolster what was called, a discomfited administration. Did the noble lord then think so lightly of government, that, if they wished to get up some forty or fifty, one hundred, or one thousand, loyal addresses, they would find any difficulty in the thing? The truth was, that government did not in any degree interfere with these meetings, or with the way in which the addresses were got up. Neither he, nor any of his colleagues, would wish to remain in office one hour after they had lost the confidence of the people; but ministers were not to be convinced, by the assertions of the gentlemen on the other side, that they had lost that confidence; nor would they be induced by clamour or by taunts, to desert their duty to their sovereign and their country. [Loud cheers.]—It was common, at the beginning of every session, to hear that ministers were about to resign; lists of their successors were even handed about, and it was confidently affirmed, that they could not remain a week in office. This reminded him of what used to be the case in the Peninsula: the intercepted correspondence of Joseph Buonaparté was full of observations upon the blunders of the English general, and of prophecies, that the allied army was about to be destroyed; but it always happened, that this blundering general, as soon as he got sight of the enemy's army, annihilated it. So it was with respect to the rumours to which he alluded; if they were to be believed, the ministers could not exist a week; but, when the battle took place, the truth appeared—the Whigs were defeated, and the ministers confirmed in their places.

There remained only one point on which he wished to say a very few words. His majesty's ministers had been accused of a disposition to persecute the Queen; and the gentlemen, on the other side, had by no means been sparing in their censures upon this point. But, before the House, or the country, condemned his colleagues and himself, it would not be amiss to inquire, what sort of treatment—what degree of mercy, her majesty would have experienced from the Whigs, if they had been in power? To these inquiries, the gentlemen on the other side, had already furnished an answer. If they had been in possession of evidence, affecting the character of her majesty, to which they gave credit, they would have had no negotiation, no treaty; they would have commenced their proceedings immediately, and brought in their bill. Some gentlemen might, perhaps, think that such was the course which ought to have been pursued; but, surely, no man would contend, that it would have shown a greater degree of consideration and of mercy towards her majesty; or, that endeavouring to prevent the proceedings against her, by a previous negotiation, evinced any very strong desire of persecution. It was to be recollected also, that it had been stated, from very high Whig authority, in another place, that instead of the bill of Pains and Penalties, her majesty ought to have been proceeded against for high treason, by which, of course, her life would have been put in danger. So much for the mercy of the Whigs; so much for the lenity of those gentlemen who accused his majesty's ministers of persecution. But this was not all. Some gentlemen had complained, that by proroguing parliament, the ministers had deprived her majesty for two months of all means of explanation or redress in parliament.—Now, he begged the House to consider, how the Whigs would have treated her majesty upon this point. A noble lord (lord John Russell), in the month of August last, after the lords had made their report upon the evidence referred to them, after the bill against the Queen had been brought in and read a first time, proposed, in a letter addressed to the member for Bramber, to address his majesty to prorogue parliament, and put an end to all the proceedings. In what situation would that advice have placed her majesty, if it had been adopted? How would she have stood, if this Whig manifesto had been successful? Charges of a most grave nature would have been preferred against her majesty—a report of a committee of the House of Lords, recommending proceedings against her, would have been made and printed—a bill to degrade her would have been brought in, and read a first time—and then, without giving the Queen any opportunity of making any defence, without hearing her counsel, or examining her witnesses, the Whigs, in their great mercy, would have prorogued parliament, and left her, not for two months, but for ever, without the power of justification! Such was the mercy the Whigs would have shown to the Queen; and such was the consistency which they had displayed in their censures upon ministers! He was rather surprised last night at the asperity with which an honourable and learned member (Sir J. Mackintosh), animadverted upon the reasons given by the hon. member for Corfe Castle, for preferring the present ministers to the gentlemen on the other side of the House in office. Those reasons, however, appeared to him to be perfectly fair and constitutional; they were founded upon the uniform language and conduct of the gentlemen themselves; and the preference was given to his colleagues upon an experience of their public conduct. He could not conceive any thing more constitutional than for a member of parliament to express himself so;—but, perhaps, it was not to be wondered at, that gentlemen should feel sore at a sentence of condemnation coming from a person who had so long been the ornament of that House, and who stood so deservedly high in its estimation.—Mr. Pole concluded, amidst loud cheering, by declaring his intention of giving a decided negative to the motion.

Sir *Francis Burdett* said, he meant to address his observations to the general question now before the House, although he might find it necessary to advert occasionally to what he would not call the argument, but the sort of rhapsody which they had just heard from the right hon. gentleman. That, indeed, had little or no reference to the question before the House; and whether it were true or not, that the Whigs had, according to the right hon. gentleman, acted in this or that manner, upon this or that occasion, must now be a matter almost indifferent even to the Whigs themselves. But the right hon. gentleman was singularly unfortunate in his allusions to former periods, and in rendering his inferences from them applicable to present circumstances. He had thought proper to go back to a time beyond the memory of them all—to the early stage of Mr. Fox's political career; and had quoted an opinion then pronounced by that eminent statesman. It was very possible that Mr. Fox, with little or no experience of the conduct of that House, should have, nearly half a century ago, expressed his belief that it did represent the feelings of the country—

that it did sympathise with those feelings—and that there was a possibility of finding them closely united in sentiment together. But who, at this time of day, would contend that such was now the case, or relieve the right hon. gentleman from the singularity which characterized him, when he ventured to assert, that the House of Commons faithfully and accurately reflected the opinions and feelings of the people? The right hon. gentleman was peculiarly unfortunate in his reference to those very times. If he was sincere in his confidence of the authority, let him evince it by the same test as that to which Mr. Pitt appealed; let the administration, of which he is a member, dissolve the parliament. Mr. Pitt did so, though then a reformer, and though he had declared, that without a reform, it was impossible to effect any practical good within those walls. The right hon. gentleman had introduced a variety of desultory topics, admitting, at the same time, that the Whigs, whom he so often condemned possessed amongst them men of great talent, rank, property, and consideration; but lamenting that they should have suffered themselves to be joined by the radicals, or the great bulk and body of the people. [Cries of "No, no," from the Treasury bench.] The right hon. gentleman's expression was, "The radicals or the many," and he now described "the many" as following and looking up to persons of high character, fortune, and abilities. For his own part, he hailed the prospect, and trusted that the connexion would continue, as he believed it to be the only practicable means by which redress could be obtained for these grievous wrongs resulting from so many years of mal-administration. The mode of remark, the coarseness of terms in which the right hon. gentleman, had indulged, when he talked of the Whigs being scouted, was rather extraordinary. Had such language been reported of an American assembly, it would have been quoted as a proof of the want of refinement in a democratic government. Whatever might be the defects of that House, as arising from the state of its representation—defects which he never had, nor should disguise—he should always uphold it as an assembly where the courtesies of life were respected—as a practical assembly, consisting of the best-conducted audience the world had ever produced. It was rather extraordinary to hear the right hon. gentleman, a professed enemy to reform, pointing out the imperfections in the theory of our representative system; and, if he gave up the theory, he was not to be surprised that the people out of doors reminded them of what had been the practice. He should not, however, now wander into the question of reform. That would present itself in due time; but its importance was such, and it so naturally entwined itself with every other subject of great interest, that he could not severely condemn the right hon. gentleman for introducing it on this occasion. As to what had been said of the "radicals," or "the many," of whom he was one—if it were meant that this "many," or the people at large, were desirous of mischief, he would answer, that no man had a right so to calumniate the people of England, and particularly no minister, at a time when the right hon. gentleman and his colleagues were doing all that lay in their power to degrade the royal family in the eyes of the people, and to destroy that respect and reverence with which the royal family was wont to be regarded: still less were they entitled to calumniate the people at a moment when the latter were stepping forward to support the dignity of the Crown against its immediate advisers. Did they conceive it possible to degrade so important a member of that family as the Queen-consort, without doing material injury to the interests of every other, so far as those interests were connected with the public welfare?—This observation brought him a little to the question now before the House; and he approached it with all the circumspection due to the exalted rank of the parties concerned as well as due from a sense of justice to ministers themselves. Adverting, however, to the situation of the Queen, unjustifiably treated as she had been, and adverting also to the feelings of the people, he should deem it necessary, in the first place, to discard from his mind all technical objections—all legal subtilty—and to disperse, if he could, that worse than Cimmerian darkness which had been cast over the subject. In that light he could not but recognise the truth of the only part of the speech of the hon. member for Corfe-castle, in which all must agree; namely, that the beginning, progress, and termination of these proceedings were equally lamentable; and in his (Sir F.'s) mind, established the strongest grounds for the condemnation of the conduct of ministers. Was it possible, in the whole progress of human events, to recognise any thing more preposterous and contrary to common sense, than the course they pursued? There were three modes in which he should consider their conduct. Had it been their wish that the Queen should remain abroad, why did they comport themselves towards her in such manner, as to make it impossible that she could continue abroad, as, indeed, to make it necessary for her quiet that she should return to this country? If it was wrong that she should return, why did ministers leave nothing undone which made it unavoidable? But when she had returned, and when the preservation of the public tranquillity was their duty, why were injury and insult repeated, in order to increase all those other difficulties which were of their own creation? Had those insults never been inflicted—had the Queen been received in a manner correspondent with her station and dignity—she must soon have ceased to be considered as an object of political importance. Had she been allowed a court, it would have been visited by persons wholly unconnected with any of the parties of the country. *Castra, ubi nulla potentia.* Had she been thus received by the government, she would probably, in a short time, have been happy to go again abroad. So much, then, for the wisdom of the treatment which she had experienced when her other unprovoked wrongs had caused her to revisit this country. He might also observe, in the third instance, that as her alleged offence did not amount to high treason, and as the sole object was, to show that she was unfit for her high station, this purpose might have been fully answered by a proceeding in the ecclesiastical courts. A single fact would then have been sufficient, and all that exposition of evidence which, if it had not produced immorality, had excited universal disgust, might have been avoided. The charges were of that nature that they ought never to have been produced, unless there was a certainty of supporting them by the most unexceptionable testimony. He could not conceive how any administration could be guilty of a greater offence to the Crown or to the public, than to produce such charges against the first subject in the realm on evidence insufficient to determine the most trifling cause—evidence on which he would not consent to the hanging of a dog. A right hon. gentleman (Mr. Peel) had contended, that a bill of Pains and Penalties was necessary, that this form of proceeding became expedient in consequence of the high ground on which the House had placed her majesty by their address. Now it appeared to him that a bill of Pains and Penalties was by no means likely to produce its intended effect, whilst it was extremely well calculated to lead to those consequences which it must have been most desirable to avert. The right hon. gentleman indeed had spoken as if he did not think the Queen innocent; but what, then, became of his argument in justification of the proceedings, that they were absolutely necessary in order to prevent adultery and high treason from being seated on the throne? As far as this was the object, the measure had failed, even according to the right hon. gentleman; and what he had contended was necessary, turned out to be ineffectual. On the present question he thought he had some reason to expect the vote of the attorney-general. The proceedings against the Queen began by the exclusion of her name from the Liturgy, and were followed up by permitting the evidence against her to be published. Not only was this evidence published, but the speech which the attorney-general permitted himself to make in opening the charges, had been given to the world, and sent forth apparently with the view of sinking deep into the public mind. That speech had, he must confess, filled him with astonishment. On no occasion, and least of all on this, could he have expected that a public officer would act the disgraceful part of collecting the rhetoric of the lowest brothels, and afterwards pour it forth with unbounded licence in the ears of a disgusted audience. Unrestrained by any consideration of the Queen's exalted rank, or by any recollection of her misfortunes, he had endeavoured, by a statement of seeming facts and specious and highly-coloured descriptions, to excite prejudice and odium against her, and then, *proh pudor!* called no evidence to support the most infamous parts of his accusation [Loud cheering]. The hon. and learned gentleman spoke as if the Spirit of Evil dwelt in his bosom, and possessed his tongue; for who but the Author of all malice—who, with the feelings of a gentleman or a man in his heart [Cries of "Order."]—

The *Speaker* suggested to the hon. baronet that his warmth was obviously carrying him beyond the limits of parliamentary order.

Sir *F. Burdett* said, he should never hesitate to bow to the authority of the Chair on a point of order, and should feel grateful to any member who interrupted him when he was transgressing the bounds of parliamentary debate. All that he meant was, that if charges of a heinous nature were preferred by a public officer against an exalted person, and that person a lady—a lady, too, so unfortunate, that her offences, if she had committed any, ought to find compassion, if not excuse—where the case was such that no one appeared as a complaining party, and where the sole ground of the prosecution was a real or pretended state necessity—that under such circumstances, it did not become a public officer to betray an eagerness to convict, but rather under the dictation of gentlemanlike feelings to show a spirit of indulgence, and to extenuate instead of exaggerating a supposed offence. There was no necessity for going into a long nauseous detail. Had one single material fact been proved, the rest might have been spared, and ought to have been spared, in a prosecution avowedly instituted *pro bono publico*. But how was this impropriety aggravated, when, to all the details of statement, were added the details of testimony. All this diversified calumny was thrown into circulation; and never, perhaps, had there been so many steps taken to prepossess the public mind, and induce it to prejudge a question. When, however, he said that the attorney-general ought to vote for the present motion, he did so upon this principle—that he had not long since objected in the court of King's-bench to the reception of affidavits in extenuation of language which he maintained had been too strong for the occasion. To him it did not appear how the language could be held to be too strong, without inquiring into the circumstances which called it forth, and to which it was applied. It was held, however, by the attorney-general, and so ruled by the court, that as other parties might be affected by the affidavits, they ought not to be received, although necessary to his own justification. This he might for a moment be allowed to say was fallacious, because large bodies of men could not be affected so as to incur any danger of being brought to trial by such means. The attorney-general must agree with him at least, that it was extremely censurable in his majesty's ministers to have pursued a conduct, which in his (Sir F. Burdett's) case, he opposed as contrary to all law and justice. The right hon. the member for Oxford had spoken much of the feelings entertained by the country with respect to the conduct of ministers. It was contended on his (Sir F. B.'s) side of the House, and he thought justly, that that feeling was decidedly against ministers; the right hon. member, however, was of opinion, that public opinion was entirely in favour of himself and his colleagues. This difficulty reminded him of a celebrated play of Molière, in which the two Amphitrions were so like each other, as not to be distinguished apart. The loyalists, however, decided as the parties in the play did—"Le véritable Amphitrion est celui chez qui l'on dine." But the view which he took of public opinion differed widely from that of the right hon. member, for he thought that the great mean of conducting peaceably the government of the country was, to receive and to respect the voice of the people.—With respect to the question of the Liturgy, he thought that the erasure of her majesty's name could scarcely be justified in law; but even taking the right to make such erasure to be, past all dispute, a prerogative of the Crown, still the great question for the decision of the House was, whether that prerogative had been wisely and prudently exercised; and sure the hon. member was, that there was not a man out of the House, and scarcely a man in it—scarcely the noble lord opposite himself—who could say upon his honour, "Were the act to do again, I would again take the course that has been taken." It was said that public meetings were a farce—that they did not express the feelings of the country; but, on the contrary, that the real feelings and opinions of the country were to be found in the loyal addresses which had been got up in holes and corners. If that House did not express the feelings and opinions of the country, where were those opinions to be found but in the meetings of the people? And he would venture to say, that never had public opinion been so fully, so unanimously expressed, as at the meetings which had been held upon the late proceedings of ministers. But to counteract that opinion, loyal addresses came forward, as if they were the only loyal persons in the country, or, as if disaffection to his majesty's person or to the constitution existed in the country. Never since the Revolution had there been such a strong, such an unanimous expression of feeling against the conduct of any ministry as against the present. But in expressing that feeling, the people drew a wide and marked distinction between the king and his ministers. To their sovereign they expressed every feeling of respect and affection; but at the same time they showed their determination not to support a ministry who were bringing ruin and destruction on the country. There was another view of the case, which, to him, seemed important. Supposing it to be true, as asserted by some gentlemen, that the Queen was not innocent: supposing that to be true; and a notion, more likely to raise the indignant feeling of the country, could scarcely be set on foot—even supposing the Queen to be guilty, guilty or innocent, ministers were equally culpable. But a woman ought to be considered innocent against whom no witnesses had been produced, except such people as Majoochi, Demont, and a host of chambermaids and ostlers, the scum of Italy, and who stood accused upon testimony, not merely unworthy of credit, but absolutely inadmissible—for the witnesses, according to the holding of government itself, could not feel themselves bound by the oaths they had taken. The witnesses were of the Catholic religion; and, upon the ground that the oaths of such persons could not be held binding, ministers excluded four millions of subjects, English and Irish, from the rights of the constitution. They excluded lord Shrewsbury, and lord Fingal, and many other persons of rank, upon the ground that their oaths could not be relied upon; and yet, they were ready to receive the evidence of the creatures he had alluded to, the evidence upon which the Queen had been arraigned!—evidence, too, so extremely ill-calculated to answer the purpose desired; because, in order to have effected the end proposed, evidence not only good and true ought to have been produced, but evidence to the validity of which the people of England were likely to assent; and even if the wretched people employed had by accident sworn to a single truth! no man in the country would have given them credit. Surely, upon such evidence, the Queen was entitled to be acquitted. But even supposing her to be guilty, it was bad judgment in ministers to throw her guilt before the people of the country. This was sufficient to show, that they were bad statesmen—men who regarded nothing but their places, and did not see an inch beyond their noses. The right hon. member for Oxford found it impossible to believe, that ministers had sacrificed their own opinions upon the subject in question; if they had done so, they would have forfeited all claim to the confidence of that right hon. member, who, even at the hazard of Catholic emancipation and parliamentary reform—to him, plague, pestilence, and famine—would have quitted them! Now, unless report did great injustice to ministers, they had actually gone out of office upon the question; and if they had stayed out of office, it would have been a great benefit to the country. Ministers, however, had not examined all the evidence with which, in the case of the Queen, they might have provided themselves. They might, had it so pleased them, have examined a right hon. gentleman (Mr. Canning), who, no doubt, from his polished manners and classical mind, was likely to form an accurate judgment upon such points, and who had declared her majesty to be the life, the grace, and the ornament of society. That right hon. gentleman had said, like Pilate, that he washed his hands, and that he would have nothing to do with that just person's persecution. When the affair should be terminated, that right hon. gentleman might probably again appear in the House; and if he had been firm enough to have remained at his post, and to have exerted his influence, then, in his (sir F. B.'s) opinion, there would have been a stop to the whole proceeding. The excuse for this proceeding, however, was state necessity; a word which might cover a variety of extraordinary meanings. Of that state necessity, the right hon. member for Oxford had said much, without proving that any such necessity had ever existed. But, even if a state necessity were shown, he should still say, that ministers were culpable. After that unfortunate separation from her husband, which at once severed the Queen from her station and from her duty, and which, at the same time, put an end to all interest on the part of the public in her conduct: after that unfortunate separation, ministers were perhaps justified—taking the Queen to be a prudent woman, and holding that England could not be affected by her conduct—in permitting her majesty to go abroad: but if ministers saw that she was a most imprudent woman, and that she was likely, by her conduct, to prejudice the interests of the state, then they had acted most improperly in suffering her to leave the country. At all points indeed, ministers, if they proved guilt against the Queen, proved guilt against themselves. What excuse could they make for having permitted her majesty, during a period of, as they said, six years, to persevere in a line of conduct injurious to the welfare of England; and that without the slightest warning or remonstrance? Common humanity, independent of the interests of the country, called for some remonstrances against such a career of irregularity.—And here he could not help adverting to a circumstance sufficient of itself to have blown the case against her majesty out of court. The prosecutors accused the Queen of ill-conduct during a term of six years; and, the moment they came to the case, they dropped the most important three years over which the charge extended: they abandoned all accusation as to the latter three years of the term: during that period there was nothing attempted to be proved against her majesty. And out of this abandonment arose another curious inconsistency: all the while that, according to the case of ministers, the Queen was living in a state of riot and debauchery, her name stood in the Liturgy of the country: but at a time when no fault could be alleged against her, and when, even if she had been a sinner, she was a reformed and repentant sinner, then her name was struck out! And why was it that the erasure took place exactly at that moment? Because it was then that, by the death of the late king, the princess was deprived of her natural protector. Honourable gentlemen were not quite agreed, indeed, as to their course of defence upon this point of the Liturgy. One member declared, that the omission of the Queen's name in the Liturgy was not intended as an insult to her majesty; while the noble lord opposite boldly avowed that, under the circumstances of her majesty's conduct, it would have been a mockery to have put her name into the Liturgy. He must deny altogether that the question of the Liturgy was an afterthought on the part of the Queen. On the contrary, her majesty, the moment she heard of the omission, wrote in the strongest terms to complain of that measure. The absence, as he had before observed, of a right hon. gentleman (Mr. Canning) sufficiently evinced his opinion of the proceeding in question. That right hon. gentleman would, however, no doubt, be again seen in his place, the foremost in maintaining the purity of the constitution, and defending that palladium of English liberty, Corfe-castle. There were some individuals whose opinions were not to be altered; and there were some individuals who still declared their approval of the measures which had been taken with respect to her majesty: he, however, would insist that, through the whole of the proceedings, ministers had shown a great regard for their own places, and a great want of regard for the public welfare;—that they had failed in the discharge of their duty as privy councillors, and exercised at least an unsound discretion in the use which they had recommended of the royal prerogative.

The *Attorney General* said, it was not his intention to have troubled the House during the present debate, but he hoped the House would feel, after the personal observations of the hon. baronet, that no apology was due from him. The hon. baronet had commenced his speech with two complaints. In the first place, the hon. baronet charged his right hon. friend, near him, with a violation of the decorum of the language of debate; but he would appeal to the House whether the hon. baronet had not more violently violated that decorum in the observations which he had made. He appealed to the House whether the observations of the hon. baronet, as applied to himself, kept within the line prescribed by the hon. baronet to other members. The hon. baronet had next said, that the right hon. gentleman had done any thing rather than apply his observations to the topics of this debate; but he would appeal to the House, whether the hon. baronet had done any thing but irregularly and irrelevantly apply his observations to other topics. In the first place, the hon. baronet had alluded to a speech made by him (the attorney-general,) in another place, and in the next he had alluded to an argument used two days ago in the King's Bench, in a cause to which the hon. baronet was a party. Such was the conduct of the hon. baronet who charged other members with introducing irrelevant topics. What had the House to do with the argument urged two days ago, and which had met with the approbation of the hon. baronet's counsel? This approbation justified him in making use of that argument, and yet the hon. baronet thought fit to come down to that House, and, discontented with the advice of his counsel, to make a speech in reply to that argument. The hon. baronet had said, that after the observations made by the attorney-general in the King's-Bench, the mover of the resolution might reckon on his vote that night, because he did not think he could come down to that House, and give a vote at variance with is conduct in the King's-Bench. He trusted the House would not suffer that statement to rest upon the *ipse dixit* of the hon. baronet, but would allow him to show the dissimilitude. What did he (the attorney general) object to? The hon. baronet wished to introduce affidavits respecting acts done by persons not before the court. This was irrelevant matter, and he urged the inconvenience attendant upon the introduction of such doctrine; but his stronger objection was, that the hon. baronet had professed in his letter to proceed upon what had been stated in the public papers. If he took either objection, see how the case would be in the King's Bench. The hon. baronet wrote a letter which was declared to be a libel by the verdict of a jury. The hon. baronet had in that letter professed to decide upon the statements of the newspapers—but what did he afterwards do? The hon. baronet produced affidavits relating to facts, whether true or false it was not now his business to inquire. The affidavits referred to the transactions at Manchester; and he (the attorney-general) objected to try absent persons upon affidavits on charges of murder, and maiming. The hon. baronet's counsel had agreed that such affidavits were not receivable; and yet the hon. baronet now charged him with acting in that instance inconsistently with his conduct towards the Queen. He could assure the hon. baronet and the House, that it had been his lot in that instance to discharge one of the most painful duties which could be imposed upon an advocate. Certain papers had been laid before him, by order of the House of Lords, and he only stated what he thought necessary to put the House in possession of facts which he, from the papers laid before him, thought could be substantiated by proofs. After the complaints which had been made of a want of specification of charges, times, and places, he felt it his bounden duty, however painful it might be, to state the facts plainly as they had been narrated to him, without any of that rhetoric with which he had been charged. Was it his fault if disgusting facts were detailed? Was it his fault if the House and the country were disgusted by the recital? No; it was the fault of the evidence produced to support those statements. The hon. baronet had done him a wrong in saying that he wished to excite an undue impression. The hon. baronet had said that many facts not substantiated by proof had been stated. In a long series of facts, many might fail of proof; but if facts which had been alluded to in the opening speech had failed of proof, other facts of the strongest nature had appeared in evidence which had not been stated in the opening speech. The hon. baronet might as well charge him with proving facts which he did not open, as with opening facts which he did not prove. Comparing the evidence with the facts detailed, he thought the main and substantial facts had been proved. He was not now going to enter into an inquiry whether the facts proved ought to be credited. He was not arguing any such proposition; but he was stating, that the evidence did go to substantiate the facts stated in the opening.—Another objection made by the hon. baronet was, that he had charged the Queen with the commission of facts down to the moment when he was addressing their lordships; but he begged the House to recollect, that he had stated the evidence which he intended to offer in support of the charges, and he would say, if that evidence were believed, that the charges were proved. Did the hon. baronet think that he had examined the witnesses to know what they could depose to? He could assure the hon. baronet he had never, from the commencement of the proceedings to their close, communicated with a single witness, and was bound to take their depositions from those who had examined them. It was well known that there was nothing which a counsel avoided more, more especially in criminal cases, than previous communication with the witnesses which he was to examine in open court. He had so acted in this case. He had read the evidence—he believed it was faithfully taken from the mouths of the witnesses—and he thought that it proved his case. Now, how did that evidence apply to the point in question? If it was proved that the Queen was guilty for the three first years, was there a man who would be of opinion that the criminal intercourse between her and the person with whom she was alleged to have committed the adultery had ceased for the three last; especially when it was considered, that he held the same place in her family—that he appeared to enjoy the same favour and influence—that he resided with her, his wife being still absent—and that he did not leave her until she arrived at St. Omer's? He trusted that he had now said enough to justify his opening speech in the House of Lords; and he asked, what had his conduct there to do with what had taken place in the court of King's Bench two days ago? If he had taken the course of which he was accused by the hon. baronet—if he had stated facts which he could not substanstiate in evidence, he should have acted foolishly as well as culpably, seeing that his exaggerations could not have escaped detection from the able lawyers opposed to him, and that defeat must have followed detection. He had a most painful duty to perform, and he had performed it conscientiously. The hon. baronet had said that after the late queen's death her majesty's name was inserted in the Liturgy as princess of Wales. Now this statement was not correct. The name of the princess of Wales had been in the Liturgy ever since her marriage, and his majesty's ministers had not advised its exclusion; but it was one thing to allow it to remain, and another thing, when it must necessarily be changed, to introduce it in a new form, in the face of such heavy charges existing against her majesty at the time the change must have taken place.

Mr. *Tierney* said, he felt that he could not altogether be silent, as repeated allusions had been made to his opinions and declarations. The motion of his noble friend was stated, by the supporters of ministers, to be brought forward for the purpose of turning them out. Now, he could assure the House, that he did not support the proposed censure on ministers with that object, though he should be glad if it lead to that result. The proceedings on which the House was to decide that night were most important, as they affected the character of parliament. It was now about eight months since the House had received a message from the king, accompanied with certain documents in a green bag affecting the character of her majesty. During this long period the House had never before had an opportunity of expressing its opinion on the whole of the proceedings against the Queen, and on the part which ministers had acted in instituting and directing them. If the House was contented to go down to posterity as satisfied with all that had been done elsewhere, then he would consider it a waste of words to make a single observation; but if, dissatisfied with the proceedings of ministers, it was disposed to enter that opinion on its Journals, he was anxious to state the grounds on which he would support the motion of his noble friend. He was the more desirous of this, as he had been accused of having expressed sentiments on the question different from those of the hon. friends with whom he generally acted. That suspicion was founded on what he had said in May last, when he had declared, that he thought the Queen was insulted, or the king betrayed; and that he would not vote a shilling for the support of her majesty until her character was cleared up. He begged leave to explain the circumstances in which this latter declaration was made. Her majesty's name had then been expunged from the Liturgy, and that exclusion in itself constituted a charge that demanded inquiry. Besides this, reports had been spread abroad, and industriously imported into this country, the origin of which it was necessary to inquire into. He said so then, and he was of the same opinion still. He then believed that there existed irresistible evidence of her majesty's guilt, because he could not conceive it possible that, without such irresistible evidence, the ministers of the Crown could have proceeded to strike her majesty's name out of the Liturgy. With this impression, he believed that charges were to be openly brought forward; and he thought it due to the House, due to the interests of the country, and to the honour of the king, that the inquiry should take place before the grant of money was made.

Having said thus much in explanation of his own expressions, he would proceed to state his opinion on the motion of his noble friend; and in doing so, he would be guided by what was laid down by the right hon. member for Oxford, who stated, that the tendency of the motion was not so much the question, as whether it contained the truth. Now he would freely own, that he thought the censure contained in the proposed resolution clearly warranted, and that the conduct of ministers had been characterised by a marked disregard to the public tranquillity, to the honour of parliament, and the dignity and stability of the throne. A narrative of these proceedings was necessary in order to understand their nature. In 1817, on the death of the princess Charlotte, he understood that certain papers connected with the Queen's conduct were communicated to ministers by the king, then prince Regent; and from that moment he esteemed as their acts whatever was done. What those papers contained he was not fully aware of; but they were said to refer, partly to family matters, and partly to certain depositions regarding her majesty's conduct: they were referred to the attorney-general who made his report on them accordingly; and the opinion of the attorney-general was followed by ministers, Lord Liverpool and the Lord-Chancellor adopting his view of the case. Now, it was the boast of ministers that they had attempted, on all occasions, to stop proceedings, and to prevent the exposure which had taken place. He should be glad to know whether at any period measures could have been adopted to gratify that anxiety with more probability of success, than between the period of referring the papers he had mentioned and the demise of his late majesty? At that time the charges against her majesty had obtained no notoriety; every thing favoured an amicable arrangement; and he sincerely believed, that if any proposition of that nature had then been made, all that the country had since endured would have been avoided. That, however, was not attempted; at least not that he and the world knew of. In 1818, the Milan commission was appointed, and continued for about eight months to collect evidence on the part of the Crown against her majesty. He should be glad to know if there could possibly be divined a mode of proceeding better calculated to make any subsequent arrangement difficult, if not impossible, than that step? Could any thing be better calculated to disparage her majesty, and to give force to the rumours with which the continent was inundated, than the fact that the secretary of state for foreign affairs, in concurrence with the British ministers at foreign courts, entertained such suspicions with respect to her majesty's conduct, that they deemed it necessary to submit it to a full investigation? The commission was composed of two lawyers, and a gentleman connected with lord Stewart's mission. He should like to know whether their instructions limited them to inquire into the depositions or reports already received by his majesty's ministers, or whether they were further empowered to hunt for fresh evidence. If the latter, he charged it as a crime on ministers; for which he was entitled to call them to account. That brought the affair to the year 1819. The hon. baronet had very properly asked, if, during that time, any notice had been given to her majesty of what was going on against her? As no answer had been given to the hon. baronet, he must conclude, that there had not. If so, he must be permitted to say, that a more unwise and unjustifiable proceeding, than the appointment and the continuance of the Milan commission under such circumstances, was never conceived. However, with this evidence in their possession, so collected, what did ministers do? If they believed that evidence, they were bound, in justice to their royal master, in justice to their royal mistress, in justice to their country, to take some step. Her majesty had been held up for a great length of time as an object of public suspicion to Europe, and she was entitled to have her conduct investigated. Nevertheless, they did not press any measure; nor did he believe that they would have pressed any, but for the death of his late majesty. They then immediately forced the subject on. They then acted on the materials which they had collected. They at once omitted her majesty's name in the Liturgy, and thereby held her up to all England as a person not entitled to the prayers of the people, and to all Europe as not entitled to their respect. Instead, however, of putting her majesty's conduct in a course of investigation, they attempted a sort of negotiation with her majesty, the most extraordinary he had ever known. In fact, the proposition made to her majesty at that time, coupled with the omission of her name in the Liturgy, was such, that it struck him at the time it was impossible her majesty could close with it, without a total sacrifice of her honour and character; for it was stipulated, that in consideration of receiving 50,000*l.* a-year, she should remain abroad, should abstain from taking the name of Queen, and should forbear exercising any of her rights as Queen Consort, except in courts of justice by the appointment of an attorney and solicitor-general. He would ask any impartial man whether, if her majesty had accepted that proposition, it would not have been in other words to say—"I am aware of the charges which you have the means of preferring against me; I shrink from them, and I think 50,000*l.* a-year will be easily and well earned by immediately pleading guilty?"

He now came to the message sent to parliament by the king on her majesty's arrival in this country. It had been insinuated that there was an intervening negotiation, but of that he knew nothing. On that message, and what was called the green bag, having been laid on the table of the House, the hon. member for Bramber made a proposition, the motive for which did him great credit, in order to see if some course might not be adopted for effecting an amicable arrangement of the business. Not conceiving, that to stop the proceeding, after what had taken place, would be fair towards her majesty, he voted against that proposition. Its adoption, however, by the House was followed by another attempt at reconciliation. Two persons were appointed by the Crown, and two persons by her majesty, to negociate on the subject. Again did the Queen, with perfect propriety, refuse to accede to any terms but such as would completely clear her character, and restore her to all the rights and privileges of her high station. In consequence, the bill of Pains and Penalties was introduced into the House of Lords, the House of Commons adjourning from time to time until the prorogation of parliament. The right hon. member for Oxford said, he approved of the conduct of ministers, although he admitted that, in his opinion, they ought not to have omitted her majesty's name in the Liturgy—that they ought to have sent a royal yacht to transport her to this country—and that when she arrived, they ought to have given her a palace to reside in;—three very important admissions certainly! No man, indeed, could deny, that the way in which her majesty was treated in the instances alluded to by the right hon. member, exhibited an indefensible want of respect and prudence. However, the bill of Pains and Penalties was introduced into the other House of parliament; and to that mode of proceeding the right hon. member for Oxford said he had no objection. He (Mr. T.), on the contrary, perfectly agreed with the hon. baronet, that there were other modes of proceeding, which would have been more satisfactory, as they would have prevented much of the mischief that followed. His objection to proceeding by a bill of Pains and Penalties, was, that it was quite impossible, but that it must lead to painful disclosures and discussions. His eyes were completely opened the moment he saw that, in the preamble of the bill, no direct charge was made of adultery, but that ministers went out of their way to charge her majesty with "adulterous intercourse, and a long course of licentious conduct." He saw at once that they had no distinct charge to prefer—that they were at sea, and that all that they had determined upon was, that, as the Queen would not submit to their pleasure, she should, if possible, be degraded [Hear, hear!]. He wanted no other proof of this than what had just fallen from the attorney-general. For that gentleman's legal talents, as well as for his general character, he entertained great respect; and he really compassionated the situation in which the learned gentleman had been placed. It now appeared, from the learned gentleman's own statement, that he had nothing to do with the transaction, but to hold a brief which had been given him against the Queen of England, containing charges, which, it afterwards turned out could not be substantiated by evidence. The learned gentleman in the fair discharge of his duty, stated facts, in his opening to the court, which he subsequently found the evidence would not confirm. All that the learned gentleman had to do was his duty; and in the discharge of that duty he certainly had to fight his way through a mass of filth and dirt, greater, no doubt, than, in his extensive practice, he had ever before encountered? Was it too much to call for the censure of parliament on the conduct of ministers, who, it thus appeared, without any distinct point of accusation on which they could confidently rely, without having previously sifted the evidence, but on the mere depositions of cast-off waiting maids, and servants, and vagabonds of other descriptions, ventured thus to commence an attack on the character of her majesty? An offence so serious, demanded even more than censure. Was it to be tolerated, that the loose testimony of such persons as he had described, should have been received without a single question having been put to any respectable character on the spot as to the probable truth of their declarations? However, the trial proceeded. He had attended it most diligently throughout the whole of the case for the prosecution, when circumstances, which it was unnecessary to explain, had then induced him to retire into the country, having done what he conceived to be his duty, and imagining that the case would come to the House of Commons; and he declared, that a more disgusting scene, day after day, he had never witnessed. Even unaccustomed as he was to legal proceedings, he could plainly perceive the painful situation in which the learned gentlemen opposite were placed on that occasion. Ignorant as he was on such subjects, it was evident to him that they distrusted their own witnesses; that they felt the difficulties of the case; that they were sensible of having no sound ground to stand on; but that they were compelled, in the discharge of their duty, to endeavour to fish out something which might enable them to substantiate some charge or other against her majesty. This was no offence on their part; but it was a strong charge against ministers, that they had given the learned gentleman such a brief.

This arose from the proceeding by a bill of Pains and Penalties. He by no means denied that a possible case might occur, in which a bill of Pains and Penalties would be a justifiable proceeding. There were two conditions, however, that appeared to him to be indispensable:—that something should have been done which, if left unpunished, would injure the state; and that the ordinary laws would not reach the offence. Short of those conditions, there was nothing which, in his opinion, could justify a bill of Pains and Penalties. It was the resource, to which recourse ought to be had only when every other means of obtaining national justice were unavailing. In her majesty's case, a bill of Pains and Penalties operated with the most dreadful injustice. What had the House been hearing during the last week? Had not every gentleman who had risen on the other side, contended, that it was not to be denied, that there was a heavy body of evidence against her majesty—that it was not to be denied, that there was a moral conviction of her guilt? The right hon. president of the board of Control had gone further, and had maintained that the second reading of the bill of Pains and Penalties substantiated the charges in the preamble, and that the question of passing the bill was merely one of expediency. He appealed to the good feeling of his right hon. friend, of he could lay his hand on his heart, and say that the recognition of such a principle was not calculated to lead to the grossest injustice? The comparison which his right hon. friend had instituted between a bill of Pains and Penalties and a bill of divorce in that respect was groundless. Good God! was it possible to compare a case in which one individual applied against another, with a case in which the character and conduct of the Queen Consort of these realms were implicated? It had been denied that the proceedings in the House of Lords partook of a vindictive character. He did not mean to say that they had intentionally been so; but if revenge had been the object, what better course could have been taken to accomplish it than, at the very moment when malice appeared to be gratified by the judges having declared her majesty to be in their opinion guilty, for the prosecutor to rise up and say—"You, the accused party, have been declared guilty; but, in order that you may have no chance of changing the verdict at any future period, we now abandon all further proceedings against you?" To him it appeared that revenge itself could not have devised a more effectual plan for accomplishing all its malignity.

The right hon. member then proceeded to observe, that he much doubted whether the ministers had a right to abandon the prosecution after they had once instituted it. He did not mean to dispute the right of the House of Lords to do so, if it thought proper; but it appeared to him a crime of no small magnitude, for ministers to subject her majesty to such a trial as would attach to her all the evil consequences of guilt, and none of the advantages of innocence. If he were asked what would appear the most degrading point in the late proceedings against her majesty, to those who should read of them in history, he would answer that it was—that ministers had not passed the bill. They had said to the House of Commons, who were expecting that it would come down to them, "You, gentlemen, have nothing to do with this bill; a moral conviction of her majesty's guilt has been created in another place; and to prevent your meddling with it, we are determined that it shall not pass." He was surprised that the highest legal authority in the kingdom, the Lord Chancellor, who was the great guardian of its laws, and the grand depository of its justice, should have concurred, without any apparent reluctance, in that determination. Had he, however, put any protest against it upon record? No: the bill was abandoned without any dissent being expressed by him, or indeed by any members of the other House, with the exception of about ten peers, who, by entering their protest against its abandonment, did themselves as much honour as those who had neglected to do so had done themselves disgrace.

He trusted that he had said enough to show, that the proceeding by bill was most unjust. He should now proceed to show that it had entirely failed in the object which it was intended to accomplish. The advocates for it asked of their opponents, whether it was fitting that a Queen with treason and adultery imputed to her, should be allowed to sit on the throne of England? He had said on a former occasion, and he repeated the assertion now, that it was not fitting [Hear! from the Ministerial benches]. What, however, had been the result of the late proceeding? Why, that her majesty had not merely had adultery imputed, but if the ministers of the Crown were to be believed, actually proved against her; so that they had now placed upon the throne, not merely imputed guilt, but guilt of which they had in their own minds a moral conviction [Hear, hear!]. Could, then, the gentlemen opposite say, that the object of their bill had been accomplished [Hear, hear!] when the House was placed in such a situation that it was obliged to cheer as often as any imputation of guilt was thrown out against her majesty, but was obliged afterwards to proceed to vote 50,000*l.* of the public money for her support and maintenance? Her majesty, however, with a spirit worthy of her exalted rank and station, said, that she would not touch a farthing of what had been voted her, until the House cleared her character from all unfounded aspersions; so that, if it had not been for her conduct, which, on this point, deserved the highest praise, the people of England would have been reduced by ministers to the necessity of paying the same honours to a Queen whom they could not respect, as they would bestow on one who was the object of their esteem and admiration.

He had now endeavoured to bring the House back to the true question before it. He had, in the first instance, believed her majesty to be guilty of some most serious offence, from the manner in which ministers had treated her; for he could not have supposed for a moment that they would have dared so to insult and degrade her, without having the most satisfactory evidence of her guilt and misconduct. It now turned out, from the statement of the attorney-general himself, that they had submitted the evidence to him in a mass, without any directions as to its worth or respectability, and without the slightest examination into its probability, or truth; and yet, after that statement, the House was called upon to put a negative on a motion condemning the ministers for instituting proceedings charged with being derogatory from the dignity of the Crown and injurious to the best interests of the country. That they were derogatory from the dignity of the Crown, no man, he thought, could doubt; and upon that subject he should therefore refrain from expatiating, as it had been so well treated by honourable members who had preceded him in the debate. This, however, he would say, that in spite of the discordant opinions entertained by radicals, Whigs, and Tories—on most other political subjects, they were all unanimous in deploring the serious injury which the royal family had received from the late unwise, intemperate, and ill-judged proceedings.

The right hon. gentleman then proceeded to comment on the arguments used on the former evening by Mr. Banks, who, disapproving of the beginning, middle, and end of the late proceedings, yet would not accede to the resolution of the noble marquis, because the effect of it would be to disable the present ministers from remaining useful servants of the Crown. Less useful servants of the Crown! He did not exactly know what the hon. member for Corfe-castle meant by the term "useful"; but he doubted much whether, if the present resolution were to meet the approbation of a majority of the House, the ministers would withdraw their useful services from the Crown, or whether, if they did not, they would lose the useful support of that honourable member. The turning out the present ministers was not so much the object of the hon member's alarm, as the turning of others into their places; and yet he maintained, that if all the public men who were eminent on both sides of the House were to be swept away, there was talent enough left in the country to form an effective administration. Still his fears seemed to say that no administration could be formed at present except from the ranks of opposition; and then he anticipated that Catholic emancipation would be granted—that a reform in parliament would be commenced—and that the bills passed in the last session of the last parliament would be immediately repealed. To avoid these horrors, the hon. member for Corfe-castle was more anxious that the ministers should remain in office useful servants of the Crown, than that they should quit it to allay the present agitation of the country. The hon. member had, at the same time, taken an opportunity of paying him certain compliments for his openness and manliness in frankly declaring that he had been seeking, and was not ashamed to seek, by every honourable and becoming method, those employments of the state wherein he might be serviceable to the councils of the Crown. He (Mr. Tierney) was not ashamed to confess, that he had always, even from his younger days, thought office to be an object of noble ambition; and, now that he was advanced in years, he inculcated this maxim into the minds of younger men, that the only way of bringing good principles into effect was, by seeking such situations as would enable them to promote them. If, however, the hon. member for Corfe-castle supposed that office was at present his object, he was greatly mistaken. He was not deficient in honourable ambition: he did not despond of the state of the country; but he felt that his race was run, that his days were numbered, and that he had no longer strength to endure the fatigues of office. Indeed, he knew of no office in which he could at present be useful; and he could assure them that, in his present feelings, and in his state of health, office was the last thing that he could contemplate.

The right hon. gentleman then proceeded to observe, that great offence had been taken at an expression which the noble mover made use of, when he said that he did not see the advantage of a change of men, unless it were accompanied by a change of system. He said the same thing. An invidious person might say, that such a phrase meant revolution; but he was able to meet such an insinuation with a direct denial, and at the same time to give a distinct definition of what he did mean by a change of system. First, as regarded Catholic emancipation; and here he would observe, that of such vital importance did he consider that measure to be, that to the very last moment of his life he would exert every means in his power to promote it. Next, as to the recent restriction bills, he would say that he had not yet occasion to change a single opinion which he had formed regarding them. He held it to be totally inconsistent with and destructive of the liberty of the press, that a man should, upon a second conviction for libel, be liable to transportation. That bill he would most undoubtedly repeal. The hon. member for Corfe-castle asked him, whether he would repeal the late act against tumultuous meetings. He replied, "yes," he most certainly would. He had not seen that one single advantage had been gained to the country by it; but he had seen that much mischief had been occasioned by it, great irritation to the people, not one benefit to the community. According to its regulations, they could not call county meetings without the permission of its high sheriff or five magistrates. The high sheriff might refuse, and on several recent occasions had refused, to convene a meeting; and there might be large bodies of men in the county, who, though suffering under many heavy grievances, might not have influence sufficient to procure the requisite number of magistrates to convene a meeting, upon the sheriff's refusal to do so. Besides, there might be a sheriff acting directly under the influence of the court, surrounded by magistrates equally time-serving with himself, and equally under its rule and governance. For these reasons, he should certainly advise the repeal of this act; but let not the hon. gentlemen be alarmed. The bill in question was only to be in force for five years, and therefore, by repealing it at present, he should only anticipate the evils by which the noble lord in three or four years would deluge the country. The next point on which the hon. gentleman showed considerable alarm was, the granting of parliamentary reform. Now, to parliamentary reform he had been during the whole of his life a warm friend, differing with many persons as to the mode in which it was to be effected, but always anxious from his youth upwards to effect it, and never more so than at present, in consequence of the events of this session. The present was not a time for mentioning the plan of reform of which he might approve; but he might say, that he was desirous to give to the people of England a better opportunity of representing their wishes and prayers in the House than they had at present, and that the object nearest to his heart was, to make the House a real representative of the Commons of England.

He had thus met all the arguments, and answered all the questions, of the hon. member for Corfe-castle: in so doing he might have acted rashly, but at least he had acted fairly and candidly to the country; and if it wished to have any thing to do with him in an official character (should indeed his health and feelings permit him to accept of place), it must be upon the terms he had just named. They had heard much lately of loyal addresses, and it was stated in them that it was impossible for public opinion to be better represented than it was at present in the House of Commons, and that it would be difficult to collect a greater mass of wealth, talent, and education than was at present assembled in it. This he would in part allow; but the manner in which it was introduced there was not such as he could either admire or approve. The hon. member for Corfe-castle had also said, that the Whigs were now in league with the radicals. He did not exactly know what was meant by a radical, but he understood by it, a man who proposed a radical reform in parliament, that was, annual parliaments, universal suffrage, and election by ballot. Now it appeared to him that these kind of radicals were more inclined to support the gentlemen in place than to support the Whigs; indeed, he had never heard from their mouths so many compliments addressed to himself as he had heard from hon. members that evening. The leading radicals advised the people to keep in the present ministers rather than accept the Whigs, and that was called by the hon. member "forming a league with the Whigs." He was glad, however, to say, that the Whigs were anxious to form a junction with the many —with the people of England; and God forbid, that they should ever succeed in any political enterprise, when unattended by their support. At the present moment the House did any thing but speak the sense of the country; and, what was more, members knew that they did not speak the sense of the country. The petitions then on their table must have convinced them of that fact. But, considering the proceedings in every part of the country, there could be no doubt of the fact, that the great majority of the people felt that his Majesty's ministers had reigned too long. For example, the whole of what they had been recently doing, tended to this melancholy result, to set the lower against the upper classes of society. But the noble lord stated, that the king's ministers were supported by the great bulk of the property of the country. This he denied: a very large proportion of landed property belonged to those gentlemen with whom he acted, and he believed on no former occasion had so much property been represented at public meetings, the proceedings of which were hostile to the present ministers. The noble lord talked, indeed, of addresses got up in what were called "holes and corners." He did not object to those addresses. He saw no reason why individuals might not so assemble, if they thought proper. But if ministers, in defiance of the expressed sense of the country, exclaimed, "while the House of Commons stands by us, we will proceed with any measures we please," it was right that they should be taught a different lesson. He contended, that they were, notwithstanding these addresses, literally setting the country at defiance. Let the noble lord look at the state of the country; let him go to all the great towns and districts; let him inquire the opinion of the respectable merchants and shopkeepers throughout the empire; and he would be content never to raise his voice in that House again, if the noble lord did not find that the sense of the country was most decidedly against him. If that House did not boldly interpose—if they did not perform their duty—the country would be driven to a course which he should be very sorry to see resorted to. Men would not be trampled on, because they were told, "Oh! the individuals you want to drive out, are the saviours of the country! Did they not give you peace? And, when the revenue of the country was reduced, and her prospects were all blue, did not the chancellor of the exchequer, that great financier, call out her resources?" Aye, and it might be added, "Did he not spend them too?" This was the great feather in the right hon. gentleman's cap, which was to go down to the latest posterity. And what had all this exertion been made for? To limit the power of France? Had the noble lord and his colleagues limited that power? What was the difference, at the present moment, between the French Assembly of Deputies and the House of Commons? Why, the former were absolutely taking off taxes, while the latter were doing all but laying them on. The French Assembly, after meeting the expenses of the year, and providing an ample sinking fund, had, in addition to that, absolutely taken off certain taxes. The people of this country bore the taxes well, heavy and oppressive as they were. Then, if they did so, ought they not to have their wishes attended to, when those wishes were honest, generous, and constitutional? Did it not prove that something must be wrong in the system (though gentlemen might not be able to fathom in what it consisted) when all the noble lord's projects failed—when they were destroyed, almost from hour to hour? Could the noble lord say that this was the effect of accident—that it was not occasioned by causes which originated in misgovernment? The gentlemen opposite, or their party (said Mr. Tierney), have now been in power for the last five-and-thirty years, and can any man say, if their system was good, that we should be placed in the situation in which we at present are? Should we, if their system was beneficial, from year to year—have new bills introduced, trenching on the liberty of the subject, and, instead of effecting good, creating evil? Can that be a wise or a good system that renders an army of 100,000 men necessary in a time of peace? Can that be a praiseworthy system, which foments religious dissention? Can any man say, that there is not something radically bad in a system, the fruits of which are the growing discontents of the people? Let the House remember, when the sense of the country is to be collected, how great are the difficulties of effecting that object, against the enormous influence of ministers—an influence which has been growing up for five-and-thirty years, which has given them such a root in the church, in the army, and in the navy, as proves, when a strong resistance is made against them, that the sense of the people is opposed to them, since a great number of the people are absolutely under their fangs. Under these circumstances, it becomes the House to look about them. What becomes of his majesty's ministers is not the primary object of consideration. The House ought to do their duty; and, if the conduct of ministers towards the Queen has been what I have attempted to describe it, let gentlemen seriously pause before they reject this motion. It is not the king's ministers who are on their trial, but the House of Commons; and all I shall say farther is, God send it a good deliverance!

Lord *Castlereagh* said, he would proceed to state the true question now before the House, and, in doing so, he would confine his argument, as closely as circumstances would permit, to that object. He would say, that the speech of the right hon. gentleman was a fair and manly speech for him to deliver. He had reasoned the question fairly, between that and the other side of the House; or rather, he had placed the vote which the House was asked that night to give on such principles as it might be clearly argued on. He felt indebted to the noble mover, and the honourable seconder, for having so candidly stated the grounds on which they brought forward this charge. They had done honour to themselves personally, and they had also extricated their party from that course which he thought extremely unbecoming in them; they had extricated them from those milk and water motions which had been so often resorted to; they had extricated them from the disgrace in which the party was involving itself by such proceedings, and he trusted he should not be found that night to be the individual who was disposed to shrink from the manly appeal which the noble lord and the hon. member had made to the House. He might, if he thought fit, shelter himself under the argument, that this was the first time he had been called on to defend ministers against a charge, founded on a measure that had formerly been adopted. He might say, that he was now called on, in the beginning of February, 1821, to answer for an act, the striking her majesty's name out of the Liturgy, which was committed in the month of February preceding. He must contend, that the present motion was not more a censure on his majesty's ministers than it was on the House itself; for many of those measures which the noble lord had arraigned in his motion were sanctioned by the House. They must all recollect the triumphant majority of 391 members who supported the motion of the hon. member for Bramber—a motion which ministers had also supported, and which was one of the measures included in the noble lord's motion. If, then, it were carried, it would undoubtedly be a censure on that majority. But he could assure the noble lord, that he would not shelter himself under that plea; and he called on the hon. member for Bramber, if he thought ministers had not, in the difficult and delicate situation in which they were placed, acted well towards the House and the country; he called on him not to refuse to do an act of duty to the country, by voting for the motion. The right hon. member who had just spoken, would, however, forgive him, if he looked upon the question in rather more extensive a view than had been adopted by himself. He wished also to recall to the House some misrepresentation into which that member had fallen; for it would be impossible for the House not to perceive how the arguments of the hon. member for Corfe-castle, as well as the hon. member behind him, had been misrepresented. He would trust to the House to observe the fallacy of the inferences to which that misrepresentation had led. Before he proceeded to the real point of difference between the right hon. gentleman and ministers, he would make some observations upon the remarks of another member. An hon. gentleman on the second bench (Mr. Whitmore), had stated, that, on account of her majesty's age—no matter what her former course of life had been—which prevented any fear of the regular succession to the crown being endangered, every thing should be passed over, and that active measures should even have been taken by his majesty's government to treat her majesty with an extraordinary degree of attention abroad. But, what was the state in which her majesty stood, with respect to the government of this country, when she was residing abroad? It was known to the House, that her majesty was not received at court in this country; and, if ministers had acted otherwise than they had done, if they had caused her majesty to be received at foreign courts, she would have returned to this country with such an instrument in her hand, furnished by the course adopted by his majesty's government whilst she was abroad, as would enable her to plead it as a ground for being treated in the same manner in this country. As the Queen was not received at court here, how could his majesty authorize his ministers abroad to treat her on a different principle from that which was adhered to in this country? He knew that unmanly and ungenerous attempts had been made to induce a belief that her majesty had been treated with disrespect at foreign courts. It was not for him to enter into an argument respecting the servants of any other state, but he denied that the servants of the Crown, in this country, ever failed in the point of respect, under the instructions by which they were required to act. Those instructions were not sent out until his majesty's government had no other option. They arose from a special demand, coming from a particular court, and made by the sovereign of that court, who wished to know what course he was expected to pursue in the event of her majesty's arriving there. The instruction was, that, as she was not received at the court of Great Britain, she could not be received there. This was not a novel course. He could adduce very high and Whig authority to show, that the Crown was not obliged to state to that House the grounds on which it proceeded in such a case. He could appeal, on this point, to the letter of the noble Lord John Russell, addressed to the hon. member for Bramber, to show that the Crown possessed this power, and that when it was brought under the consideration of parliament, parliament refused to interfere. When the duke of Grafton was chamberlain, in the year 1737, he notified, that those who frequented the court of the Princess of Wales would not be received at the king's court. Could, then, the sovereign, who had banished a personage from his own court, press her to be received in a court on the continent? At this time the Queen rested under the grave suspicion of the charge which led to the inquiry; and he thought he would be doing an act dishonourable to the crown, and to the country to which he belonged, if he allowed the individual who represented the king in a foreign court, to sit on one side of the Queen, while a courier sat on the other. From the first, the whole desire of government, the uniform and anxious wish of his majesty's ministers, was, to avoid, if possible, that calamitous inquiry.

Now, then, he should call the attention of the House to the real state of the facts of the case, antecedent to the actual proceeding against the Queen. In reference to the negotiations which had taken place with the Queen, before her majesty's return to England, it was certainly true, that, in the month of June, 1819, a communication had been received by his majesty's government from the hon. and learned gentleman, who was known to be the professional adviser of her majesty, and understood to be charged with the confidential management of her majesty's affairs in this country. The proposal contained in this communication was, in substance, that her majesty (at that time Princess of Wales) should be secured in her then income of 35,000*l.* a year for her own life, instead of its terminating with the demise of the Crown; and that she should undertake, upon that arrangement being made, to continue permanently to reside abroad, not assuming at any time the rank, style, or title of Queen of this country. As this proposal was stated to be made without any authority or knowledge on the part of the Princess of Wales; and as it could not be carried into effect without the aid of parliament; the only answer which was given on the part of his majesty's government was, in substance, that there would be no indisposition, at the proper time, to entertain the principle on which the proposal was grounded, if it should turn out that it met with the approbation and concurrence of the princess. Of course, it rested with the party making the proposal, to ascertain this point before any further step could be taken by his majesty's government. The hope of conciliation, however, vanished the moment that the Queen set her foot in England. It was a palpable misrepresentation of facts and dates to say, that the Queen was driven to that step by the omission of her name in the Liturgy, or by the movements of the Milan commission; for it was notorious, that the moment the late king died, her majesty declared her immediate determination to come to England—not to assert, as was mis-stated, her legal rights as Queen Consort, for these the law had asserted for her, but to put forth in person her claims for privileges which were not matters of right, but of grace and favour. When the Queen announced this intention, and actually took steps to carry it into execution, for some of her attendants had gone, by order, to meet her, it then became imperative upon ministers to consider which of the two was likely to be the greater evil—either to institute this inquiry the moment it could no longer be avoided, or to suffer in silence, and with their knowledge of the facts, a Queen charged with adultery and treason (for at that time the technical exception of the case out of the law of treason was unknown) to take the lead in the court of this country, and set the example to the female society of England. Even to the latest moment ministers did not lose sight of the hope, that exposure might be avoided; and the question was then mooted, whether the proposition made in the previous year, on the part of the Queen (or at least by her confidential adviser, and with the supposition that it had her concurrence) should be made the basis of an amicable arrangement of so painful a matter.

He now came to that part of the subject in which the hon. and learned gentleman opposite, had been more particularly engaged, and which required the most serious explanation. Upon the demise of his late majesty, an alteration in the Liturgy then became necessary. It was not till some days after that alteration had been made, that the communication was renewed between the hon. and learned gentleman and his majesty's government. In that renewed communication no intimation was given by the hon. and learned gentleman that, in his judgment, though of course he could not take upon himself to answer for the Queen, the change in her majesty's situation by the demise of the late king, was likely to create any material obstacle to the completion of an amicable arrangement founded on the basis of his original proposal—and in respect to the Liturgy in particular, he stated, that, by the manner of arranging the new form of prayer—omitting the name of the Heir Presumptive, as well as that of the Queen—it seemed to him, that any unfavourable inference against her majesty, which must have arisen, if the name of the duke of York had been inserted, and that of the Queen omitted, was happily obviated; so that no difficulty was to be expected under that head, which appeared to the hon. and learned gentleman, as he afterwards stated in the House, to be a "trifle light as air." With this knowledge of the hon. and learned gentleman's sentiments, and with the implied, and indeed avowed readiness on his part, to submit to her majesty a proposal, formed on this basis; and to offer his advice to her majesty in favour of her acceptance of it, the substance of it was reduced into writing, and put into the hands of the hon. and learned gentleman, on the 15th of April last, to be by him communicated and recommended to her majesty. In stating that the memorandum of the 15th of April contained the substance of the hon. and learned gentleman's suggestion, it might be necessary to observe, that the only essential difference was this—that, instead of 35,000*l.* a year, an annual allowance of 50,000*l.* was proposed. This most important memorandum the hon. and learned gentleman kept in his pocket from the 15th of April till the end of May, without, on the one hand, making any communication of it to her majesty, or, on the other, giving to the king's ministers reason to apprehend that any circumstance had occurred to render it less fit for her majesty's acceptance, or the prospect of that acceptance more doubtful than he conceived it to be when he first undertook the negotiation. What prevented the hon. and learned gentleman from proceeding to the continent to wait upon her majesty during this long interval it was not easy to conjecture, especially after the election for Westmoreland was over. There was indeed a Whig candidate who claimed his support at Carlisle; but was this a sufficient reason for neglecting a duty of this importance, on the part of an advocate who feels that there is no sacrifice which he is not bound to make for the interests of his illustrious client? At the end of May, however, he went to St. Omer's, her majesty having then proceeded so far on her way to England; and on his arrival there, he found that her majesty had surrendered herself to other counsels, and that the wisdom of the worthy alderman (Wood) would be consulted in preference to any advice which he might have to offer. Whether from this, or from any other unexplained motive, operating on the mind of the hon. and learned gentleman, who had gone to St. Omer's, for the express purpose of tardily delivering the memorandum of the 15th of April, and of advising with her majesty on the subject of it, he returned to England, without ever delivering that memorandum at all, or even informing her majesty that he was charged with any communication whatever from his majesty's government. It was true, that a communication was made (apparently at the hon. and learned gentleman's earnest request) to her majesty by a noble lord, who had travelled with the hon. and learned gentleman to St. Omer's; but it was equally true, that the noble lord had no commission or authority from any quarter whatever, to make that communication, and that the memorandum which had been confided to the hon. and learned gentleman alone had never even been put into the hands of that noble lord by his majesty's government. This circumstance might account for the difference between the terms of the communication made by the noble lord to her majesty, and those contained in the memorandum. That noble lord had certainly no communication to make to her majesty respecting the proposed arrangement; but he had been apprised of the course which his majesty's government had determined to adopt in the event of her majesty's coming to England, with the understanding that he should, in fairness to her majesty, apprise her of that determination, in the event of such being her final decision, after the terms to be proposed by the hon. and learned gentleman, should have been (if contrary to expectation they were) finally rejected, but not otherwise.

In this state of ignorance of the proposal which the hon. and learned gentleman had in the first instance himself suggested to his majesty's government, and afterwards had undertaken to submit to her majesty, as fit at least for her consideration, her majesty arrived in England; and so little, even after that arrival, was the Liturgy brought forward as a *sine qua non* in the subsequent negotiations, which were attempted in the hope of averting the necessity of an inquiry, that the fundamental principle of that negotiation, settled at the first conference, and without any objection being raised by the hon. and learned gentleman, or his learned colleague, was, that the negotiation should proceed on the basis, "that the King should retract, and that the Queen should admit nothing." These were the facts respecting which it was not unnatural that an explanation should be expected on the part of the hon. and learned gentleman. The House heard, and the country had since learnt, what sort of defence the hon. and learned gentleman attempted to make for his most extraordinary conduct. The House, however, did not hear any answer from that gentleman to many parts of the charges preferred against him; and without going into any other particulars, it might be right just to observe, that he did not even attempt to justify his having concealed altogether from the Queen the written proposal which had arisen out of his own former suggestion, and of which he had consented to be the bearer from the earl of Liverpool.

The noble lord then justified the whole course taken by ministers antecedent to the prosecution, and repeated that their uniform desire was to ward off, if possible, the necessity of exposing the details of the case; he also declared, that the evidence did not rest upon the testimony of abandoned characters, but of travellers of all ranks, who had visited the places where her majesty had resided; and he positively denied that up to the period of the institution of the Milan commission, which was dated in March 1818, although the parties did not go over until the August following, ministers had officially taken the least pains to collect testimony against her majesty. No servant of the Crown had, up to that period, received instructions upon the subject, although undoubtedly they had transmitted communications forced upon them by the notoriety of the circumstances. He could give the hon. officer (Sir R. Wilson) an assurance, that the death of the princess Charlotte had nothing more to do in the way of influencing government as to the time of instituting the Milan commission than any other circumstance. The reason why the investigation had not been taken up sooner was, that her majesty did not return from the long voyage till shortly before that time, and it was not till late that year that ministers were made acquainted with the whole extent of the charges relative to her conduct during that voyage; but then they felt the time come when they must take some steps. He did not know whether any of the gentlemen opposite meant to bring this question regularly before the House or not; but if any inquiry was instituted for the purpose of fishing and prying whether any of the subordinate agents of government had acted contrary to their instructions—if it was wished to ascertain whether the country had, by this commission, been involved in unnecessary expense—if the House were to go into a fishing inquiry of this nature, he should be prepared to give every information that could be required. At present he should only say, that the commission had been instituted on the report of a legal adviser of the Crown of high character, who had said, that if called upon to wind up the charges, and give an opinion on them, that opinion must be against the party accused. That person, at the same time, thought that such a proceeding should be founded on evidence that could not be impeached, and which ought, therefore, to be previously inquired into. It ought to be recollected, in discussing the conduct of this commission, that a great body of evidence had been examined by it which could not be brought before the House of Lords. If his recollection was correct, only twenty-three or twenty-four witnesses had been examined at the bar of the other House, while the number of those examined at Milan amounted to eighty. It was also a mistaken idea of the gentlemen opposite, that only discarded servants of her majesty had been applied to for evidence, for more than one-half of the persons examined were neither in her service, nor were individuals of that class. If the gentlemen opposite were to call before them Mr. Cooke and Mr. Powell, who had conducted the evidence, and were to examine them as to the injunctions under which they took the various depositions and examinations, they would find that no precautions had been omitted which the spirit of justice could dictate. With the exception of one individual from Trieste, who had not been prosecuted in a court of justice for perjury, notwithstanding the determination expressed by the learned gentleman to that effect; with that exception, where was the cause for depreciating all this body of evidence? He trusted he had said enough to satisfy the hon. officer, that the causes which had led to the institution of the Milan commission, and the principles on which it had been conducted, were such as fully justified the conduct of his majesty's ministers. Oh, but the gentlemen opposite would have had none but witnesses of a high rank to prove guilt against her majesty, as if the crimes which had been charged against her would have been committed in the presence of the general society which she frequented. But even of those high persons who had friends connected with her majesty, many had expressed their conviction of the belief of an impropriety on her part. Why else had the earl of Guilford recommended to his sister to quit her royal highness's service? Why else had Mr. Keppel Craven taken the liberty of admonishing his royal mistress? Gentlemen opposite might affect to taunt these observations, but he put it to them upon their honours, to declare, whether their feelings would not have been similar to those of the noble earl from the reports which their own friends, upon their return from the continent, had conveyed to them? From the observations of the gallant general and of the learned gentleman upon a preceding night, it could be collected what the nature of the defence was which had been contemplated by the learned advocate for her majesty. If the bill had passed the House of Lords, the grand master of the order of St. Caroline, who had been brought for that purpose to Paris, would have been produced at the bar of the House of Commons, there to declare, upon his honour, what he would not have dared to say upon his oath at the bar of the House of Peers! And the House would then have had before it the bishop of Pesaro, and the cardinal God knows who, Dr. Tamasia, and many more of the *savans* of Italy, to speak to the purity of the Queen's character. But why, he asked, had not those persons who were at present in England been called at the bar of the House of Lords?

The noble lord then proceeded to deprecate the course pursued by her majesty in the message which she had sent down to that House, and also the conduct of those gentlemen who seemed resolved to support her in her determination. Whatever embarrassments might arise from such a course, he hesitated not to say that he would not swerve from what he conceived to be his duty. It was not from the prophecies of the gentlemen opposite, of which they had never been sparing—for birds of evil omen had never ceased to hover over the country in times of danger or difficulty—it was not from those prophecies that he would take his tone. If ministers had ever been disposed to listen to those boding predictions the country would now have been prostrate at the feet of the usurper of the world. Personally, he would assert that he was as incapable of being actuated by base motives as any of the gentlemen on the other side. His means and his character were quite as independent as theirs; and if he were now to quit the station he occupied, he should think that he might fairly say that his ambition had been gratified to the full extent of his hopes and wishes. He could not, however, consent, while he filled his present station, to enter the closet of his sovereign, and, by a sacrifice of all regard to morality, advise him to restore her majesty's name to the prayers of his subjects, as his "gracious Queen Caroline," whose innocence had been unequivocally established to his complete satisfaction [Hear, hear.]—After charging sir J. Mackintosh with having made a meretricious appeal to the bad passions of factions in all parts of the world, the noble lord noticed the efforts made in this country to rouse the popular sentiments on this subject, contending that the petitions so much talked of were not a tithe of those which the veteran major (Cartwright) a year or two ago, had manufactured and circulated in favour of parliamentary reform and universal suffrage. He was not to be veteraned or dragooned by petitions, and for the safety of the realm he had long made up his mind to give a determined resistance to efforts of such a description, and for such a purpose. He did not contend that hon. gentlemen on the other side did not revere our constitution, though they differed as to the mode in which it was to be preserved; but he must say of them, that they had shown themselves for a series of years governed by party spirit. In the midst of foreign war, domestic rebellion, or open mutiny in our fleet, they had acted with a desire to augment instead of diminishing the difficulties of government; their purpose being to produce a change of ministers, and get themselves into power at any desperate hazard to the Crown and state. He was willing to leave the present question to the calm good sense of the people of England, notwithstanding all the efforts of the Radicals, aided by the gentlemen opposite, to mislead and inflame. He was not afraid as to the ultimate decision of the nation. 'It would be prepared to do its sovereign that justice which he richly merited; and whatever clouds might have hung over the dawn of his reign, as over that of his illustrious parent, he was confident that he would soon be greeted by the full tide of affectionate gratitude, and hailed as a monarch whose only object had been to preserve the liberties and contribute to the happiness and prosperity of his people.

Mr. *Brougham* requested the favourable attention of the house, not so much because he was in some degree personally concerned in what had passed, as because he had still to discharge the remainder of an anxious duty to her Majesty, rendered infinitely more painful and burdensome by the tone and matter of the speech of the noble lord. It was mighty well for the hon. member for Corfe-castle to assert, that the time was now come when he might offer his promised explanation; and it was very easy for the commissioner of woods and forests to repeat the taunt, and to allege as a reason for compliance the conclusion of all inquiries regarding the Queen. He would appeal to the House, after what had occurred, whether there was any appearance that those inquiries had terminated. Had all intention further to molest the Queen been finally and completely abandoned? Did the speeches within the last few days, even the most moderate and guarded of them, give any such indication? The attorney-general, to excuse himself, had taken upon himself to re-assert what he had asserted elsewhere. The member for Surrey, backed by the member for Somerset, and supported by a noble but voluntary witness, the member for Westmorland, had even introduced charges unheard-of until long after the acquittal of her majesty, and had accused her, not only of maintaining a correspondence with Bergami, but of transmitting to him large sums of the public money to support him in a guilty splendor. If he had shut his ears to all matters of mere rumour, and his eyes to the statement of the motive assigned by the member for Liverpool for quitting office, namely, his reluctance to become a prosecutor of his Queen—if he had refused to look at the systematic attempts to malign and defame her majesty, not only in that part of the public press known to be under the control of the responsible advisers of the Crown, but also in that odious, disgusting, and detestable portion of it which pretended to give to the vaguest and vilest slanders the authenticity of place, time, and circumstance, which was a reproach to the frank and generous nation in which it was promulgated, a stigma upon the freedom of open discussion, and a source of misery and dissension in domestic life; he still could not persuade himself that there was even a probability that further proceedings against the Queen were abandoned. God forbid that he should accuse ministers, or even their most suspicious underlings, of giving encouragement to the public nuisance to which he had just referred; but whoever might be its authors, it evidently showed an anxiety to keep alive calumnious topics of heat and agitation, and, with other proofs, convinced him that though the noble lord had relinquished all design of further prosecution, the intention still existed in some unknown and irresponsible quarter [No, no! Hear, hear!]. Who could say, that some Hanoverian advisers might not be about the court hatching a new case more perfect than that just defeated and exposed? Who could say, that they would not lay a body of evidence before some chancellor of some duchy, who in his turn might submit it to a set of ministers who, rather than abandon their places, would drag the reluctant and unoffended country through a second disgusting and demoralizing inquiry? He might safely urge, therefore, that the case against the Queen was not yet closed; but at the same time he was prepared to follow the noble lord through the various parts of his speech, recurring to what had been stated in the last session as to the grounds on which the defence of the Queen would be rested.

The noble lord had stated, and justly stated, that a proposition was made, upon the part of her majesty, in the year 1819; but he (Mr. B.) distinctly stated, in express words, that that proposition was made without the knowledge of her majesty, and that it was in terms at least the same which was afterwards offered by his majesty to her. One remarkable feature, however, was not only omitted, but the direct contrary was inserted, in a subsequent offer made to her majesty, then princess of Wales, who was to have been allowed to have taken her royal title. It was in that offer declared and stated to be the title of Duchess of Cornwall. This was that title of the peerage by which, in fact, her royal highness was then recognised in the peerage of this country. Another circumstance that seemed wholly to have escaped the noble lord's recollection was, that at the time the Queen was princess of Wales the late king was alive and in perfect health: no suspicion, at that time, existed of his death, and the consequent demise of the crown. In the month of June, 1819, this proposition was made, he could not too often or too expressly repeat, without the knowledge of that illustrious person herself. It was made, such an event as the demise of the crown not being then contemplated; and it was surely a very distinct thing, as it regarded an individual in her then situation, and a person upon the point of taking upon herself that exalted rank to which she would in that event become entitled. He begged to state once again, that it made exactly all the difference in the world, between a person's covenanting not to take up a future and contingent dignity, and a person's being already in the actual possession of it: in the latter case, she was required to step down from it, to give up all claim to its honours, to abandon the throne itself, to part with all her rights and privileges; this circumstance must necessarily affect an arrangement, which was to be made, not with a person expectant only of a right, but, possessing one which she could not give up.

He must here remind the noble lord of another circumstance which he could hardly, however, have forgotten—he meant the delay, upon the noble lord's part, between the months of June 1819 and February 1820, a term of nearly eight months, before any thing was done respecting that proposition. The hon. and learned gentleman here declared, that the noble lord, in asking him (Mr. B.) to gain the Queen's consent to a proposition which set out with declaring that it was made without her majesty's knowledge, could have expected but one answer to such a request. What, then, was the nature of the offer? It was only a suggestion on the part of her majesty's legal adviser, that if such a proposition should be made to her on the part of his majesty's government, he would advise her to adopt a course of which that should be the basis. If there had been all that anxiety on the part of the noble lord and his colleagues, of which he spoke, to obviate the necessity of their going into such an inquiry (although no necessity had been made out) why did all this delay arise? But, said the noble lord, what difference could this make? He would tell the noble lord; it was just that thing which made it impossible that the offer could be accepted. There was all the difference in the world between the situation in which her majesty must have stood in June had the proposition succeeded, and that in which she did stand in February when it could not by possibility succeed. Whether that or any other proposition had been made upon the part of ministers, it was unquestionably his (Mr. B.'s) duty to have conveyed it to her majesty. But the noble lord said, why did so much delay take place in his going over to the continent? and as many foolish stories had got abroad upon the subject, it was perhaps necessary that he should explicitly answer that question. It had been also asked, why he had, from the 15th of April, kept in his pocket the proposition he was charged to deliver? Why, it was intended not that he should send over that proposition to her majesty; it was only meant, that when he saw her he should deliver it to her. But the hon. member for Corfe-castle talked of a delay of weeks and months, and that night the noble lord was urgent to know the reasons why that delay had occurred. Now, he never, for one moment, concealed from lord Liverpool, the impossibility of his going to such a distance as Geneva. He had never given the noble earl the slightest reason to suppose that he could be absent from his place in that House, for more than six or seven days at the utmost. If, then, it was so especially necessary that this proposition must be made to the Queen at Geneva, or on the other side of the Alps, he should like to know why lord Liverpool did not select some other channel, which might have saved the time, and, what the noble lord opposite seemed to think of greater consequence, have saved the distance. It was known to be absolutely impossible that he could undertake such a journey; but, in point of fact, all this argument about the negotiation was only one other additional specimen of that address which they were not unfrequently called upon to admire in the noble lord opposite, which was, that when he found a question pressing upon him, he was accustomed to turn about and change his ground altogether. So that the questions put to his lordship being—Who made you proceed against the Queen at all? Who thought it necessary to send down green bags to parliament? Who instituted the Milan commission, and invested it with its extraordinary powers? The noble lord had abandoned these, and chose this other question for the subject in debate, thinking it much more easy to be argued—namely, Ought the Queen to have come to this country, or not? Now, he took the liberty of saying, that this might have been a question between her majesty and her legal advisers; as, in fact, it was a question whether it might not be better she should come to St. Omer's than that she should reside at Geneva: she did not know at that time of the negotiation; but, it might well be a question, whether St. Omer's was not more proper than a more distant place for the purposes of negotiation: it might not, indeed, suit the purpose of the noble lord, that the Queen should have come to this country; but, if she were only to look to her mere interest, it might be the best thing she could do, rather to approach England than to remain at a distance from it. This, however, was only put hypothetically; for undoubtedly the fact was, that the Queen had no intention of negotiating—no terms were suggested to her, either through the propositions offered by himself, or by lord Hutchinson, or by any other person whatever, but those which she obtained, or rather ought to have obtained, by the conduct she had finally pursued. It seemed now absolutely manifest, that no terms which could have been offered to her would have had the slightest effect in deterring her from returning to this country.

He trusted, that the House would give him credit for the perfect sincerity in which he made the declaration, that he felt himself, through the whole course of these transactions, not only authorized, but called upon, to take the steps he had done, from a regard, in the first place, to the case of the Queen, and in the next place, from a regard to what he considered her majesty's best interests. His belief certainly was, at that time, that the interests of the Queen, and of the country, equally required that this investigation should not go on: he had no hesitation in saying, that he did then conceive, not that she had any thing to dread from the severest scrutiny into all parts of her conduct (for the conduct of innocence dreaded no scrutiny), but that she was placed in a situation from which the purest character might, he would not say shrink, for innocence defied its adversaries, but that she was surrounded by all those dangers that a person can be threatened with, who had resided in a country where, for six years, her life and her honour had been equally the objects of a conspiracy; and where witnesses could be bought for money to rake up, from every corner of Italy, every scandal that could be invented, or idle tale that malice and detraction could frame. His belief was also this—that there were certain cases which, from the mere odious nature of the charges that were to be adduced, and the abominable details of the accusation, would induce a person to pause before he ran into a trial, when, by an honourable arrangement, he might obtain all that his character required the other party to concede. He did feel, that if, by an honourable arrangement, her majesty could obtain those terms which were consonant with her own honour (and others, no person could have dared to recommend her), and if such terms were called for by the inquiry, and should be satisfactory to herself; and, finally, would have obviated all idea of this investigation, her majesty would have been justified in availing herself of them. He did not fear being accused of any lack of zeal in her majesty's service: both before and since that period he had the satisfaction of knowing, that his conduct had been honoured by the approval of her majesty. Although, from the first moment of seeing her, he at once saw that the effect of the negotiation was at an end; yet, after that first rejection of the terms, he continued, subsequently to her arrival in this country, to recommend, and even to solicit, again and again, the renewal of negotiations which might have obviated the necessity of this investigation. It had, however, been gone into; and, though her majesty had withstood its terrors, though she had come through it with that which nothing but the grossest injustice could refuse to her—an absolute acquittal; yet it had been entirely owing to her majesty's own consciousness that nothing whatever of guilt could be laid to her charge, that she had refused to listen to any terms whatever. [Loud cheers.]

The hon. and learned gentleman then proceeded to refute the supposition, that her majesty had acted by any other advice than that of her legal advisers. No man who possessed common sense, even in the conduct of his own affairs, could have thought of venturing to advise her in a matter of such importance. It could only be known to her majesty herself, whether those charges were just or otherwise. Her own conscience told her, that she was innocent of those acts which had been falsely imputed to her, in charges which had been, as they were now told, finally abandoned. "I have stated thus much," continued the hon. and learned gentleman, "as to the conduct of the Queen. It is fit I should now discharge what I call a debt of justice to her. I know it has been invidiously and malevolently asserted, and most industriously circulated, for purposes which must be obvious to every man, that my expressed opinions of her majesty's conduct are not the same in fact with my own conscientious conviction. It is necessary, Sir, for me, with that seriousness and sincerity which it may be permitted to a man upon the most solemn occasions to express, to assert—which I do now assert in the face of this House—that if, instead of an advocate, I had been sitting as a judge, at another tribunal, I should have been found among the number of those who, laying their hands upon their hearts, conscientiously pronounced her majesty 'Not guilty.' For the truth of this assertion, I desire to tender every pledge that may be most valued and most sacred. I wish to make it in every form which may be deemed most solemn and most binding; and if I believe it not, as I now advance it, I here imprecate on myself every curse which is most horrid and most penal." [It would be difficult to describe the earnest emphasis with which this asseveration was delivered, the deep interest with which it was listened to, and the enthusiastic and general cheering by which it was greeted.] It was no ordinary occasion that compelled an advocate to travel so far out of his usual tract; but he felt that, upon the present occasion, he had been treated not as the advocate of her majesty; but he had been made a witness against her majesty. That opinion of her majesty's innocence he was known to have uniformly entertained, from the commencement to the termination of the proceedings—an opinion which was not better known to his private friends than it was published to the world. That opinion did not originate in, but had been confirmed by, the proceedings themselves; and in the strength with which he had ever entertained it, he repeated, that had he, on a late occasion, been taken from the bar and made a judge, he should have joined in a conscientious verdict of "Not guilty."

He begged to solicit the attention of the House for a few moments with respect to the noble lord's statements as to the origin of the proceedings of the Milan commission. They had their origin soon after the death of the late princess Charlotte; for what reason the noble lord had given them a different date might hereafter appear. This was what had been openly asserted, and the noble lord's explanation was a denial of the fact. The noble lord said they did not begin till March; but that they began immediately after the return of her majesty from what was called the long voyage, was admitted by the noble lord himself. He had, therefore, identified the period of the Milan commission, and that of the long voyage. Now, it was in September, 1816, that her majesty returned from the long voyage; and the remainder of 1816, the whole of 1817, and part of 1818, elapsed before the appointment of the Milan commission. Here, then, there was at once an end to that connexion so assidiously endeavoured by the noble lord to be established between the Milan commission and her majesty's return; but there came between the period of that return—and the institution of the commission in 1818, a remarkable and striking event, the death of the princess Charlotte. This event was placed nearer to the date of the commission than the return of the Queen, by a period of very nearly fourteen months; and so much for this point; from which the House would infer what was the true origin of the Milan commission, whatever notion the noble lord had thought proper to adopt of it.

He did not wish to go at length into the details at this hour, and in fact the important, the most material, question which was now before the House was, whether any measure should at all have been introduced against her majesty? But to proceed with his argument. This conduct of her majesty was alleged to have been carried on, not in private, but in public. The place was in Naples, not in ordinary places; and when it was considered that it was alleged to have been committed in various public places, it was astonishing that it should not have been observed by any witnesses above the character of those whom the noble lord had described. If any indecency were committed by her majesty at a public masquerade—if she were guilty of any indecorum at a theatre—if she committed any impropriety at a ball, it could not be said to be done in a corner; it was not done before a set of low servants, such as the noble lord had mentioned, and who were produced on the trial; it was done, he had almost said, in the face of day; but though he could not strictly say so, because those balls were held at night, yet he would say that her conduct must have been open to the observation of persons of the highest rank—before the royal court of Naples. Now, he would ask—he would not dwell upon the improbability of any impropriety having taken place under such circumstances, for that had been already argued several times—but he would ask, would it not strike the mind of any man who was not disposed to be only of one opinion on the subject, that if the story told by those servants of this impropriety were true, it might have been borne out by the testimony of some one of those respectable individuals who must also have witnessed some part of the alleged misconduct? If they had been called, and had given evidence corroborative of that of the servants, then indeed there might be some ground for the believing it; but if all of those who were applied to had flatly discredited every such account, could it be said, that there was a shadow of ground for believing the whole? Or if there had been no application on the part of the prosecutors for the testimony of any such respectable individuals, must not the inference be this, and this only, that no pains whatever had been taken by them to inform themselves whether there was a sufficient ground for them to have gone upon? This, then, was what he charged upon ministers, that in all and every stage of this most unfortunate proceeding, from the sending out of the Milan commission down to the latest act in it, they had not taken any of those ordinary pains, or made any of those ordinary exertions, which would have been necessary on the most common occasion, where the object of the parties was, to inform themselves of the truth of the information which they had got.

The same objection applied to their conduct in the secret committee. They had called so many witnesses, and they said that they might have called others; but he asked, why had they not called Dr. Holland, lady Charlotte Lindsay, Mrs. Falconet, and several other most respectable individuals, whose situation had given them such opportunities as must have rendered their testimony of great importance? Why had they not produced any of these persons to corroborate some of the servants, as they might have done, if the story told by those servants were true? But it might perhaps he said to the friends of the Queen, "Why did you not call those witnesses, seeing that they were open to you?" He would answer, "We did call them; and it was because we did call them, that we have a right to assume that if you had called them before, they would have completely defeated the story which your servants, and others of that description, had got up." This omission of calling all the witnesses, whose evidence would have put the country in possession of the truth, was a stigma on the case, which no majority, however numerous, would destroy. It was a stigma on these proceedings, which, if, to use the words of the master of the Mint they (the Opposition) were to be beaten to pieces, would never be forgotten by the country. They had, as was said, been beaten on one side the other evening, and they were now to get the knock on the other side to-night, which was to put an end to them; but out of their ruin would arise what would prove the disgrace of those who had been instrumental in bringing on and sanctioning this violation of justice. He said, out of their ruins, and after the pæans which were rung in anticipation of triumph had subsided, and were heard no more, would arise what would remain a lasting disgrace to the parliament which had supported such measures—measures which, he maintained, were scandalous to parliament. It would never be forgotten, that ministers, having it in their power to produce the means of ascertaining the truth, had neglected those means—had chosen to bring in this bill, when, by sending for one or two witnesses, who were, he might say, living in their neighbourhood, they might have prevented all, the injustice and infamy which had followed. The hon. and learned gentleman followed up his reasoning on this part of the question in a most impressive and eloquent manner. Adverting to the Milan commission, which the noble lord had described as having been employed in a rigorous investigation to vindicate the character of the Queen, he observed, that the House would not know what was the description of the witnesses out of the eighty whom they had rejected. The House might, however, judge of their anxiety to avoid sending any thing very low or mean when they sent out Restelli; of their wish to avoid every thing that was filthy when they sent the pimp Cuchi; of their determination to avoid sending any one who was infamous and degraded when they sent Majoochi, Sacchi, and that pattern for all modest chambermaids, Mademoiselle De Mont. In conclusion, he said, that every act of his, in the course of this proceeding, had been governed solely by his duty to his Queen, and his attention to the interests of his country. [Loud and repeated cheers.]

The question being put, the House divided: Ayes, 178; Noes, 324: Majority against the motion, 146.—Adjourned at half-after six in the morning.

List of the Majority—and also of the Minority.

MAJORITY.

Acland, sir Thomas
A'Court, E. H.
Alexander, J.
Alexander, J. D.
Ancram, lord
Apsley, lord
Arbuthnot, rt. hon. C.
Ashurst, W.
Astley, J. D.
Balfour, John
Bankes, Henry
Bankes George
Barne, M.
Bastard, captain
Bathurst, rt. hon. B.
Bathurst, hon. S.
Beckett, right hon. J.
Bective, earl of
Bentinck, lord F.
Beresford, lord G.
Beresford, sir John
Blair, J. H.
Blair, J.
Blake, Robert
Boswell, A.
Bradshaw, R. H.
Brydges, alderman
Brogden, J.
Broadhead, T. H.
Browne, rt. hon. D.
Browne, J.
Browne, P.
Brownlow, C.
Brudenell, lord
Bruce, Robert
Burgh, sir Ulysses
Burrell, Sir C.
Burrell, Walter
Buxton, J. J.
Calthorpe, hon. F.
Calvert, John
Cartwright, R.
Castlereagh, lord
Cawthorne, J. F.
Cecil, lord T.
Chaplin, C.
Cheere, E. M.
Chetwynd, G.
Chichester, A.
Cherry, G. H.
Childe, W. L.
Cholmeley, Sir M.
Clerk, Sir. G.
Clive, lord
Clive, Henry
Cockburn, sir G.
Cockerell, sir C.
Cocks, hon. J. S.
Cocks, hon. John
Cole, sir Chr.
Colthurst, sir W.
Collett, E. J.
Congreve, sir W.
Cooper, R. P.
Copley, sir John
Corbett, P.
Courtenay, T. P.
Courtenay, W.
Cranbourne, lord
Crawley, Samuel
Cripps, J.
Croker, J. W.
Crosby, J.
Cuff, J.
Cumming, G.
Curtis, Sir William
Curteis, J. H.
Curzon, hon. Robert
Cust, hon. E.
Cust, hon. P.
Cust, hon. W.
Cotterell, sir S. G.
Daly, J.
Dalrymple, A.
Dawkins, J.
Dawkins, H.
Dawson, Massey
Deerhurst, lord
Divett, Thomas
Dodson, D.
Domville, sir C.
Douglas, W. K.
Douglas, John
Doveton, G.
Dowdeswell, J. E.
Downie, Robert
Drake, W. T.
Dunalley, Lord
Dugdale, D.
Duncombe, C.
Duncombe, W.
Dundas, rt. hon. W.
Dunlop, J.
Egerton, W.
Elliot, hon. W.
Ellis, C. Rose
Ellis, Thomas
Ellison, C.
Estcourt, T. G.
Evelyn, L.
Fairlie, sir W. C.
Fane, John
Fane, Vere
Fane, Thomas
Fellowes, W. H.
Fetherstone, sir G.
Finch, G.
Fitzgibbon, hon. R.
Fleming, doctor
Fleming, John
Forbes, lord
Forbes, C.
Fox, G. L.
Fremantle, W.
Fynes, H.
Gascoyne, Isaac
Gifford, sir Robert
Gilbert, D. G.
Gipps, G.
Gladstone, John
Gooch, T. S.
Gordon, hon. W.
Goulburn, Henry
Graham, sir J.
Grant, A. C.
Grant, rt. hon. C.
Grant, F.
Grant, G. M.
Graves, lord
Grosvenor, Drax
Grossett, W.
Grossett, J.
Hamilton, H.
Handley, H.
Hardinge, sir H.
Hart, general
Hartopp, G.
Harvey, C.
Harvey, sir E.
Heygate, alderman
Hill, sir G.
Hodson, J. A.
Holford, G. P.
Holmes, W.
Hope, sir A.
Horrocks, S.
Hotham, lord
Holdsworth, T.
Hulse, sir C.
Huskisson, rt. hon. W.
Innes, sir H.
Innes, John
Irving, John
Jenkinson, hon. C.
Jolliffe, H.
Keck, G. A. L.
Kerr, D.
Kingsborough, lord
Kinnersley, W.
Knatchbull, sir E.
Knox, hon. Thomas
Lascelles, William
Legge, hon. H.
Lennox, lord G.
Leslie, C. P.
Lester, B. L.
Lewis, T. F.
Lewis, W.
Lethbridge, sir T.
Lindsay, lord
Lindsay, hon. H.
Littleton, Edward
Lloyd, S. J.
Lockhart, W. E.
Long, right hon. C.
Loraine, lord
Lowther, lord
Lowther, hon. H. C.
Lowther, John
Lowther, hon. H.

Lucy, G.
Luttrell, H.
Luttrell, J.
Lygon, hon. H. B
Macdonald, R. G.
Mackenzie, Thomas
Macnaghten, A.
Manners, lord C.
Manners, lord R.
Mansfield, John
Marjoribanks, S. S.
Maxwell, J. W.
Marryat, J.
Martin, Richard
Martin, sir T. B.
Mills, C.
Mitchell, John
Money, W. T.
Monteith, H,
Montgomery, J.
Miles, P. I.
Morgan, sir C.
Morgan, G.
Morland, sir S. B.
Mountcharles, lord
Munday, captain
Musgrave, sir P.
Nightingale, sir M.
Nicholl, sir John
Nolan, M.
Ommaney, sir F.
O'Neil, hon. J.
Onslow, A.
Owen, sir John
Paget, sir C.
Paget, hon. B.
Pakenham, hon. H.
Palk, sir L.
Palmerston, lord
Pechell, sir Thomas
Peel, right hon. R.
Pellew, hon. P.
Pennant, G. D.
Percy, hon. W. H.
Phillimore, doctor
Phipps, hon. E.
Pitt, J.
Pitt, W. M.
Pollington, lord
Pole, sir P.
Pole, rt. hon. W. W.
Pollen, sir John
Powell, sir J. K.
Powell, E,
Prendergast, M.
Penruddock, —
Pringle, sir W.
Ray, sir W.
Rayne, Jonathan
Rice, hon. G.
Rickett, C. M.
Robertson, A.
Robinson, rt. hon. F.
Rocksavage, lord
Rogers, E.
Russell, J. W.
Ryder, rt. hon. Rd.
Scourfield, W.
Scott, hon. John
Scott, C.
Seymour, Hugh
Seymour, Horace
Shaw, Robert
Sheldon, R.
Shiffner, sir G.
Sibthorpe, D. W.
Smith, Christopher
Sneyd, N.
Somerset, lord G.
Somerset, lord E.
Somerville, sir M.
Southeron, F.
Staunton, sir G.
Stewart, hon. J. H. K.
Stewart, A.
Stewart, W.
Strathaven, lord
Strutt, colonel
St. Paul, sir H.
Stopford, lord
Sumner, G. Holme
Suttie, sir J.
Swann, Henry
Taylor, sir H.
Temple, earl
Thynne, lord John
Townshend, hon. H.
Tremayne, J. H.
Trench, F. W.
Tulk, C. A.
Twiss, H.
Upton, Hon. A.
Uxbridge, earl of
Valletort, lord
Vansittart, rt. hon. N.
Vernon, George
Villiers, rt. hon. J.
Vivian, sir H.
Walker, J.
Wallace, rt. hon. T.
Walpole, lord
Ward, R.
Warrender, sir G.
Warren, C.
Wells, John
Wemyss, L.
Westenra, hon. H.
Whitmore, Thomas
Wigram, sir R.
Wigram, W.
Wilberforce, W.
Wilbraham, E. B.
Wildman, J. B.
Williams, Robert
Wilmot, Robert
Wilson, Thomas
Wodehouse, hon. J.
Wodehouse, Edward
Wood, Thomas
Worcester, lord
Wortley, S.
Wrottesley, H.
Wyndham, W.
Wynn, C. W.
Wilson, sir H. W.
Yarmouth, lord

TELLERS.

Binning, lord
Lushington, S. R.

PAIRED OFF.

Blackburne, John
Bouverie, hon. B.
Bourne, Sturges
Clive, hon. R.
Drake, T. P.
Hope, sir W.
Needham, hon. F.
Smith, Ashton

MINORITY.

Abercromby, hon. J.
Allen, J. H.
Althorp, viscount
Anson, sir G.
Anson, hon. G.
Beaumont, T. W.
Barham, J. F. jun.
Baring, sir Thomas
Baring, Alexander
Baring, Henry
Barnard, viscount
Barrett, S. M.
Bennet, hon. H. G.
Benyon, Benjamin
Bernal, Ralph
Birch, Joseph
Brougham, Henry
Browne, Dom.
Bright, Henry
Burdett, sir F.
Bury, viscount
Byng, George
Blake, sir F.
Bentinck, lord W.
Benett, John
Belgrave, viscount
Calcraft, John
Calcraft, J. H. jun.
Calvert, Charles
Calvert, Nicholas
Campbell, hon. J.
Carew, R. S.
Carter, John
Cavendish, lord G.
Cavendish, Henry
Chaloner, Robert
Clifford, captain
Clifton, viscount
Coke, T. W. jun.
Colburne, N. R.
Concannon, Lucius
Coussmaker, G.
Crespigny, sir W.
Curwen, J. C.
Creevey, Thomas
Davies, T. H.
Denison, W. J.
Denman, Thomas
Duncannon, viscount
Dundas, hon. T.
Dickinson, W.
Ebrington, viscount
Ellice, Edward
Ferguson, sir P. C.
Fitzgerald, lord W.
Fitzgerald, rt. hon. M.
Fitzroy, lord C.
Fitzroy, lord J.
Folkestone, viscount
Farrand, Robert
Glenorchy, viscount
Gordon, Robert
Graham, Sandford
Graham, J. R. G.
Grant, J. P.
Griffith, J. W.
Guise, sir W.
Gurney, Hudson
Gurney, R. H.
Gaskell, Benjamin
Haldimand, W.
Hamilton, lord A.
Harbord, hon. E.
Heathcote, sir G.
Heron, sir Robert
Hill, lord A.
Hobhouse, J. C.
Honywood, W. P.
Hornby, Edmund
Howard, hon. W.
Hughes, W. L.
Hume, Joseph
Hurst, Robert
Hutchinson, hon. C.
Hamilton, sir H. D.
James, W.
Jervoise, G. P.
Kennedy, T. F.
Langton, J. H.
Lamb, hon. W.
Lennard, T. B.
Lemon, sir W.
Lloyd, sir E.
Lloyd, E. M.
Lushington, Stephen
Maberly, John
Maberly, W. L.
Macdonald, J.
Mackintosh, sir J.
Madocks, W. A.
Martin, John
Maxwell, John
Milbank, Mark
Milton, viscount
Monck, J. B.
Moore, Abraham
Moore, Peter
Marjoribanks, sir J.
Mahon, hon. S.
Neville, hon. R.
Newman, R. W.
Newport, rt. hon. sir J.
Nugent, lord
O'Callaghan, J.
Ord, W.
Ossulston, lord

Palmer, colonel
Palmer, C. F.
Parnell, sir Henry
Pierce, Henry
Pelham, hon. C. A.
Phillips, G. R.
Phillips, George
Ponsonby, hon. F. C.
Power, Richard
Powlett, hon. W.
Price, Robert
Prittie, hon. F. A.
Pryse, Pryse
Pym, Francis
Ramsden, J. C.
Ricardo, David
Rice, T. S.
Robarts, A. W.
Robarts, G.
Robinson, sir George
Rowley, sir W.
Rumbold, Charles
Russell, lord W.
Russell, lord John
Russell, R. G.
Ramsbottom, John
Rickford, William
Scott, James
Smith, hon. Robert
Smith, John
Smith, Samuel
Smith, Abel
Smith, George
Smith, William
Scarlett, James
Scudamore, R. P.
Sefton, earl of
Stanley, lord
Stuart, lord J.
Sykes, Daniel
Sebright, sir John
Talbot, R. W.
Taylor, M. A.
Tierney, rt. hon. G.
Tynte, C. K.
Townshend, lord C.
Tennyson, C.
Titchfield, marq. of
Webbe, Edward
Western, C. C.
Wharton, John
Whitbread, W. H.
Whitbread, Samuel C.
Wilkins, Walter
Williams, T. P.
Williams, W.
Wilson, sir Robert
Wood, alderman
Wyvill, M.
Wetherell, C.
Whitmore, W. W.

TELLERS.

Lambton, John G.
Tavistock, marq. of

PAIRED OFF.

Aubrey, sir John
Coffin, sir I.
Grenfell, Pascoe
Mostyn, sir Thomas
Noel, sir G.
Osborne, lord F.
White, Luke
Williams, Owen
Winnington, sir E.

HOUSE OF COMMONS.

Thursday, February 8.

PETITIONS RELATIVE TO THE QUEEN.] Lord *Ebrington* presented a petition from South Moulton, condemning the proceedings against the Queen, and praying for an inquiry into the circumstances which led to the Milan commission. His lordship stated, that 976 signatures had been affixed to this petition in a space of eight days; and that he could bear testimony to the respectability of many of those signatures. On the other hand, the corporation address of the same town, which address contained many unnecessary protestations of loyalty, had received only 183 signatures in a longer space of time, and five were those of excisemen. The noble lord opposite had observed, that the good sense of the country was to be collected from corporation addresses. Now, it was a fact, that several of those who signed the loyal address of South Moulton had also affixed their names to the petition he had the honour to present.

Mr. *Monck* presented petitions from Hungerford and Newbury, complaining of the distresses under which the petitioners laboured, and praying for the discontinuance of any further proceedings against her majesty, and the restoration of her name to the Liturgy. Adverting to the depression of trade at Newbury, the hon. gentleman observed, that that place had formerly returned members to parliament, but had been relieved from doing so by its own prayer. At that period members of parliament received wages from their constituents. If such were the case at present—if other boroughs, which, like Newbury, had lost their trade, were compelled to pay wages to their representatives, he believed that one and all would petition to be disfranchised. But circumstances were now very different. If many of the boroughs had lost their regular trade, they had found a new, but he feared a contraband one, although it did not appear to be at all offensive to the gentlemen of the Treasury. He trusted that parliament would attend to the public feeling, which had been so strongly expressed with reference to her majesty. He was not one of those who held that the old maxim "Vox populi vox Dei," was to be acknowledged on all occasions. Sometimes he knew that the people were mistaken. For instance, in the cry some years ago, of "No popery;" a cry encouraged by ministers themselves, and to the prevalence of which they were indebted for their power. Such an expression of popular sentiment was far from being identified with consummate wisdom. But, whenever the expression of public feeling was reasonable, even whenever it was harmless, it ought to be attended to. He was persuaded that the public tranquillity would not be restored until her majesty's name was restored to the Liturgy.

Mr. *Denison* presented a petition from the freeholders of Surrey. It prayed for economical reform, the abolition of useless offices, and the restoration of her majesty's name to the Liturgy. No county was more loyal than the county of Surrey; and he believed that the prayer of their petition was that of nine-tenths of the people of this country. Whatever taunts might be thrown out against petitioning by the noble lord opposite, he hoped the people would never be prevented from exercising that valuable and constitutional right.

Lord *Althorp* bore testimony to the respectability of the meeting. United as the country evidently was, as to the expediency of restoring her majesty's name to the Liturgy, he thought it would be hardly possible for the House to resist so unanimous a declaration.

Mr. *W. L. Maberly* said, that ministers ought to have resigned their places rather than have instituted the proceedings against the Queen.

Sir *W. De Crespigny* deplored, that a period should have arrived when county meetings were treated with contempt. It was the only mode by which the people could state their wrongs and speak their wishes.

Mr. *Calvert* observed, that the noble lord opposite had declared that ministers had no wish to remain longer in office than while they possessed the confidence of the country. If the opinion of a great and opulent county, such as Surrey, would have any weight with the noble lord, he would refer him for that opinion even to the hon. member for Surrey, who had not been intrusted to present the petition of his constituents, and who could inform the noble that a more respectable and orderly meeting had never been assembled. And what was the result? That, when the question was put to the vote, there were about half a dozen hands held up against 3 or 400. The hon. member for Surrey complained that his friends were not present. Why they were not present he knew not, unless they thought that the cause which the hon. gentleman wished them to support was too bad a one to be countenanced.

Mr. *H. Sumner* said, he did not wish to impeach the respectabiltty of the meeting at Epsom. All he maintained was, that those who received the opinion of a meeting of about 400 persons as the opinion of the county of Surrey, laboured under a great delusion. The hon. gentleman had asked, why his (Mr. S.'s) friends had not attended the meeting? The fact was, that the language of the requisition was so moderate, that although, as one of the members for the county, he thought it his duty to be present, in order to give any explanation that might be required of his conduct, he had discouraged many who had applied to him on the subject from attending. The requisition was merely for a meeting to petition for the discontinuance of further proceedings against her majesty, in order that the time and attention of parliament might be directed to the various important questions of domestic and foreign policy, which required their immediate consideration. What he complained of, however, was, the unfair and indecent course, as respected one of the representatives of the county, which was pursued towards the close of the meeting, when a proposition was made by an hon. gentleman, and persevered in, notwithstanding the suggestion of the high sheriff, that the object expressed in the requisition ought not to be exceeded or departed from. The original resolutions were carried, and a large portion of the meeting had dispersed, when this attack was made upon him by the hon. gentleman. This he did not consider fair or generous treatment. That attack ought to have been made while his friends were yet present. If the hon. gentleman had determined to have a triumph, it ought to have been a direct, and not an indirect one.

Mr. *Macdonald* declared, that he had moved the resolution of which the hon. gentleman complained, because he thought it his duty as a freeholder of the county of Surrey to do so. The conduct of a representative in parliament was always a fair subject for criticism at a county meeting, and he should have thought that the hon. gentleman would have felt that his conduct on the subject respecting which the meeting were convened, must be so fresh in their minds, that it could not escape scrutiny. Nor had he any right to complain of want of generosity, who had recently exhibited so egregious a want of that quality. In the animadversions which he had felt it his duty to make on the hon. gentleman's conduct, he had not adverted to any hearsay information. He had spoken of facts which were as clear as day, of the course which the hon. gentleman had pursued in that House. As to the period of making his motion, it was impossible that he could have made it before the original resolutions on which the petition was founded, were agreed to. He denied, therefore, that his conduct had been either unmanly or ungenerous. He had merely given effect to what were decidedly the wishes of the meeting.

Mr. *Maberly* said, he never witnessed an expression of greater disapprobation of the parliamentary conduct of a representative than that which had been manifested at the meeting towards the hon. gentleman. He could assure the House, that ministers had not the support of the county of Surrey in their anomalous proceedings against her majesty. That county participated in the general dissatisfaction which had been expressed throughout the kingdom. It was the attempt to inflict unmerited degradation on her majesty which was so universally offensive. Even before trial, the gentlemen over the way exhibited reluctance to pronounce her majesty's name. It was that kind of conduct with which the people of England were dissatisfied. It was contended, that the omission of her majesty's name in the Liturgy was a mere exercise of the royal prerogative. But who was it that advised that the royal prerogative should be so exercised? He maintained, that the omission was illegal; and that her majesty had a right to be restored to the Liturgy, and to all the other benefits of a perfect acquittal.

Mr. *Denman* said, that as so much had been said on the subject of the restoration of her majesty's name to the Liturgy, he felt it his duty to take this, the earliest opportunity in his power of declaring his sentiments. From what had lately occurred, and more particularly after the extraordinary speech of the noble lord opposite the night before last, it appeared to him more than ever necessary that the people should press for the restoration of her majesty's name to the liturgy. It was very painful for him to be obliged to say, that since the abandonment of the bill of Pains and Penalties, there had been more unjust, more iniquitous, and more cruel calumnies heaped up against the Queen than even before the introduction of that measure. Was it not time to require that justice should be done the Queen, when her prosecutors had the hardihood to boast of the bundles of depositions containing evidence against her majesty, which they had refrained from producing at the trial? Could any thing be more despicable than this declaration of the existence of evidence which they dared not produce where it could have been rebutted? Although the proceedings against the Queen had commenced in her condemnation before proof was offered—although they were carried on with the mean and miserable shuffling of withholding from her majesty, during the process, the rank and title which was her right—although the committee formed of ministers themselves had at the outset declared an opinion upon *ex parte* evidence, yet what had occurred since that trial was still more glaring, and more contrary to the principles of justice. What could be more unfair than the circulation throughout the country of the attorney-general's opening speech, containing such a series of charges which the hon. and learned gentleman was obliged to abandon the moment he came to prove his case? How came that opening statement to have been sent forth to the world, and circulated throughout the country at the public expense? and more particularly when his hon. and learned friend (Mr. Brougham) was, contrary to the practice and principles of courts of justice, refused the opportunity of replying to that speech at the time, and doomed to witness its circulation throughout the country for three weeks without observation. He should ever consider that as the greatest act of injustice which an individual on trial had ever had to encounter—an act the more glaring when it was recollected that the party on trial was a female, and that her character and reputation were at stake. He charged it upon his majesty's ministers as the worst part of their conduct throughout the whole of this bad transaction, that they held out an expectation of having a more enlarged case for the House of Commons than they offered to the consideration of the House of Lords. Was that honourable or just? Was it consistent with honour and justice, after the abandonment of the bill, to circulate through the country, in violation of the strict privileges of parliament, pamphlets purporting to be the speeches delivered by certain of the ministers in their places in parliament upon the Queen's case—to circulate them widely and gratuitously with all their exaggerations, and under government franks? Very different, indeed, had been the conduct of the right hon. member for Oxford, who, in delivering his sentiments, came forward in a calm and dignified manner, and with fairness and candour, and a statesmanlike feeling, stated the question as it struck his mind. Such a conduct presented a contrast to that of his majesty's ministers, and, indeed, to that of the majority of that House, who seemed, unfortunately, ready to go any length in support of those ministers. The ministers had exhibited no feeling which entitled them to credit.

When they had abandoned their bill, and as they now expressed it, had determined to drop the prosecution, why not have had the generosity and feeling to apprize the Queen of that determination? But their conduct indicated any thing rather than an abandonment of the attack. If they were serious in their intention of abandoning it, why were they deprived of that which they never before stood so lamentably in want of—namely, the support of the right hon. member for Liverpool? Why had that right hon. gentlemen withdrawn himself from the cabinet, if all proceedings against the Queen were abandoned? Though the bill had been abandoned, yet parliament had scarcely met when the noble lord opposite had come down to that House, and had thrown out insinuations and invectives against her majesty, which—but he would not pursue the course which he was about to be betrayed into. It was impossible that any one in private life could have been doomed to undergo the unrelenting persecution which her majesty had undergone. He would put it to the House whether her majesty had been fairly treated by ministers? He would suppose a case. He would suppose that a man, who had been, formerly, a minister in Ireland, had been accused of bribery, of gross corruption in that country, at the time of the Union. He would suppose that minister accused, not merely of corruption at the time of the Union, but of acts of a far more horrible description. He would suppose that, respecting the conduct of that man, rumours had gone abroad of an appalling kind; that a commission had been sent to Ireland to collect witnesses against him, supported by the strength and influence of the Crown; that a bill of Pains and Penalties had been brought in against him, and a hostile minister was determined to ensure a conviction at all hazards; suppose that the proceedings terminated in the House of Lords—that the abashed prosecutors and abettors of the measure were obliged to give it up in despair. In that case what would they think of a minister who should come down to the House of Commons, and say, we could, if we wished, bring forward more evidence—we had the depositions of eighty persons, but as a matter of grace and favour, we have not examined them? Was it possible that such quibbles, such miserable insinuations should be attended to, after the ministers had done their worst? Was it to be endured that, after her majesty had triumphed over the witnesses that had been produced, her character should suffer from witnesses that her accusers dare not produce? He would appeal to the candor of the House, whether her majesty, notwithstanding her acquittal, was not, night after night, exposed to the observations of the noble lord? In the subject of the restoration of her majesty's name to the Liturgy, he would merely say, that from the very moment that that exclusion had taken place, he never entertained the slightest doubt of the illegality of that act; he never lost an opportunity, of giving his opinion on the subject. The Queen was now accused of refusing the bounty of that House, unless her name was restored to the Liturgy. Now, all he would say upon that point was, that when the noble lord approached her with money in one hand, and gross, unfounded, and refuted imputations in the other, if her majesty had accepted that money, proffered under such circumstances, and by such a minister, she would, in his opinion, merit the indignation which her enemies in vain attempted to excite against her in the breasts of a generous and gallant people, who admire her virtues—who pity her sufferings and, who never will desert her so long as she remains true to herself.

Lord *Castlereagh* said, it was not his intention to follow the learned gentleman into the wide field of discussion which he had broached; not that he was averse to meet him upon any or all the points he had dilated upon, but because he thought it would be more convenient for him to wait until the question of the Liturgy. It did not follow that, because the learned gentleman had thought proper, in the discharge of his professional duty, to utter this sort of declamation, that therefore, he (Lord C.) should be provoked to embark in a premature debate. The question respecting the omission of the Queen's name in the Liturgy stood for debate upon an early day, and it was whimsical enough, that the learned gentleman could not wait until that time, but should, on the present occasion, have blazed forth upon what was not to be found in the speech, upon which he professed to comment, but which he must have got from the brief, from which no doubt he spoke—

Mr. *Denman* rose to order. He had spoken as a member of parliament, and the noble lord was disorderly in alluding to him in any other character.

The *Speaker* said, if the House thought that the noble lord had exceeded the freedom of debate, then he could have no hesitation in saying that the noble lord was disorderly; but he did not think that the passage of the speech alluded to, conveyed an attack of a personal kind.

Lord *Castlereagh* said, that nothing was further from his intention than to reflect personally upon the learned gentleman. Indeed he thought he had diminished rather than increased the effect of the learned gentleman's sentiments, and which, from the variance they presented at one moment from those uttered at another, and particularly in conjunction with his learned colleague (Mr. Brougham), certainly were calculated to lead to the notion, that at one moment the learned gentlemen were delivering their own opinions, while at another they were merely speaking from their briefs. But certainly, as the learned gentleman spoke now as a member of parliament, and not as a counsel, he should have taken care to state accurately the contents of his (lord C's.) speech. Now, as to what had been said respecting the circulation of particular speeches, why should the gentlemen opposite complain that authentic copies of particular speeches had been circulated throughout the country? What else could they expect. If, indeed, the gentlemen opposite had been silent when the bill was withdrawn, then they might expect that others would have followed their example; but had the gentlemen opposite pursued that prudent course? Had they not, at the different meetings throughout the country, arraigned, in the most severe terms, the motives and conduct of ministers during the late transactions—had they not, in the most unsparing terms, attacked both their public and private motives, and charged them with eliciting nothing but "filthy lies." The hon. gentlemen opposite were to have free warren and free chace against ministers,—they were to have all the battle to themselves—they were to handle every topic of irritation, and ministers were not to be allowed to raise a hand in their own defence. They were to allow that part of the press which was in the pay of her majesty to cast forth sentiments and expressions so base as to find no parallel in the whole range of the public press; and yet it was to be held a high crime and misdemeanor against ministers, if authentic copies of certain speeches by some means or other found their way into the post-bags of the country. Now, with respect to the depositions of witnesses, he had never said, that any depositions or proofs that could impart information at the bar of the House of Lords had been withheld. His argument was, that it was not to be inferred that government ever considered the case as defective —that a great number of witnesses had given in depositions, but it was found utterly impossible to prevail on those witnesses to come to this country. Did the learned gentleman recollect the brutal attack that had been made on the witnesses at Dover? When that circumstance was known in Italy, a number of persons, terrified at the intelligence, could not be prevailed on to come to England; and even a considerable number of important witnesses who had arrived at Paris, alarmed for their personal safety, refused to proceed further. The learned gentleman and his colleagues took a legal advantage of the absence of these persons, and insisted that the trial should proceed without delay. This was an unfair and unjust attack. And was the country to be told that the conduct of those who indulged in it was never to be questioned? He would now give the learned gentleman notice, that so long as he and others who called themselves the Queen's friends, but whom he regarded as her most injudicious advisers, continued to bring forward such injudicious charges; as long as they continued to make the name of her majesty the instrument of their own purposes, without regarding her interest or honour; as long as they continued to misrepresent ministers, and to impute to them intentions which they had never contemplated, he should never feel restrained from exposing the truth to the House and the country.

Mr. *Denman* said, that with respect to the attack on the witnesses at Dover, that circumstance never came within his knowledge. With respect to certain witnesses having been on the road, he did not know that fact, and he did not believe it.

Lord *Castlereagh* said, that the fact had been proved on oath.

Mr. *Hume* called upon the noble lord distinctly to state what papers were in the pay of her majesty.

Mr. Alderman *Wood* said, that the members for Somerset and Surrey had talked of large accounts, which they stated, on hearsay, to be unpaid by her majesty; but he understood that the member for Surrey had been unable to get from his constituents any information of such unpaid bills, or of any sums of money paid by her majesty for getting up processions. He was, indeed, ready to state to those hon. members, that if they could produce one instance of a bill being unpaid, or of a single shilling being laid out by her majesty to promote or defray the expense of processions, he would give them 100*l.* for each shilling so discovered. The noble lord, finding he could not substantiate the charges which he made against the Queen respecting her answers to the Dover and the Canterbury addresses, had made one more attempt of the same kind by fixing on the answer to the Wandsworth address; and the right hon. commissioner of woods and forests had handed a book to the noble lord, and had referred him to page 73, in which her majesty was represented to have used the words "my people." So indeed it was stated in this book; but would the noble lord inform the House by whom, and for what purpose, this book had been written? He had examined the manuscript of that answer, and the expression there was, "the people." Was it, then, to be tolerated that any other hon. member should make such unfounded statements to the prejudice of the Queen? With regard to the outrage committed at Dover on the persons of the Italian witnesses, he had reason to believe that the whole assault consisted in these wretches being scoffed at by a few old women. He would state the fact: twelve or fourteen of those miserable wretches landed at Dover; they had little wallets at their backs, which were to be filled, he supposed, by the liberal hands of ministers; those wallets were examined by the Custom-house officers; some old women scoffed at them; and one very old woman, laughing louder than the others, addressed one of the witnesses thus—"Get home again, you Italian wretch." This was the disgraceful outrage which in the opinion of government, rendered it necessary to send those witnesses to Holland!

Mr. *Honeywood* presented a similar petition from the county of Kent. The high sheriff, notwithstanding the requisition was signed by the most respectable inhabitants, had refused to convene a meeting of the county. The meeting, therefore, had been obliged to be held in the town-hall of Maidstone. He believed it was the first time in the memory of man that a meeting of that county had not been held in the open air. It was, therefore, not so numerous as it might have been. The meeting, however, such as it was, was most unanimous; one hand only being held up against the resolutions by a half-pay lieutenant of the waggon train.

Sir *E. Knatchbull* said, that, generally speaking, he thought it was the duty of the sheriff to call a meeting, when he was satisfied with the respectability of the requisition. In this instance, the sheriff, after some deliberation, had felt it his duty to decline calling the meeting, because he thought the general feeling of the county was against the meeting; and it should be remarked, that when he had so refused, there could not be found five magistrates in the county to convene the meeting.

Sir *R. Wilson* avowed himself one of the requisitionists alluded to. The high sheriff had only to look to the number and respectability of the signatures, without any reference to the sentiments of the county. This was one more instance of the impolicy of the noble lord's bill on this subject.

Dr. *Lushington* thought, that a more complete exemplification of the impolicy of the noble lord's bill had never been presented. It was now come to that pass, that when a requisition, signed by four or five peers, and sundry other persons holding rank in the county, was presented to a high sheriff, it was refused to be complied with under the enactments of this act. This was not at all to be wondered at, when it was considered who the sheriffs were. They were nominated by the Crown, and the magistrates were under the same nomination. The lord lieutenant appointed them; and it frequently happened, that they elected those who agreed with them in political opinion. The system now acted upon came to this—that you cannot have a county meeting, unless you find five magistrates holding the same political opinions with yourself. The sheriff now, by his single fiat, took upon himself to determine whether or not a county meeting should be held. He would say, the sheriff had no right to take the object of the meeting into his consideration, before he complied with the call of any set of requisitionists. To what these measures might ultimately force the people of England, he would not say; but if any thing could force them to disorderly courses, it was likely to be the loss of those rights which had been unjustly and tyrannically taken from them.

After some further conversation, the petitions were ordered to lie on the table and to be printed.

TRADE OF BIRMINGHAM—PETITION OF THE MERCHANTS.] Mr. *Dugdale* rose to present a petition from the merchants, manufacturers, and traders, of the town of Birmingham. To this important document he begged to call the serious attention of the House. It was proper to state that this petition was agreed upon at a very numerous meeting, held in the month of August last; but owing to the different adjournments of the House, there had not been any possibility of presenting it till the present time. The petitioners stated, that on the 12th of May last they did present a petition to the hon. House, praying that a solemn inquiry might be instituted by it into the causes of the national distress, and praying that some measures might be adopted for relieving it. They set forth, that it appeared to them no legislative measure had yet been adopted for the purposes of such relief, excepting only the appointment by parliament of a committee for the extension of the foreign trade; but they humbly submitted that the home trade was at all times a matter of paramount interest. The petitioners further stated, that the present state of their trade, and consequently of those numerous classes who were dependent upon it, was deplorable. In order to get more accurate information as to the state of Birmingham in this respect, a committee was appointed by the petitioners some time back to inquire into the consumption of meat, beer, and other necessaries in the town, as compared with the year 1818; and the result was, that a most material diminution of the consumption of such articles was found to have taken place, and this, it was unnecessary to add, had existed principally among the lower classes. At the present moment it was not his intention to enlarge upon the subjects to which the petitioners had referred. He would, however, say, that the public books of the country were a fallacious criterion by which to judge of the state of commercial prosperity, for a decrease was often known to exist where the contrary appeared in those books. The petitioners here complained that the agriculture, the commerce, and manufactures of the country, upon which its property depended, were in a state of decay; and therefore they prayed, that a solemn inquiry might be instituted respecting them, and, that wherever a defect was found, it might, if possible, be remedied. He himself had made particular inquiries on the subject, to which the petitioners chiefly referred, and he found, that though there was some improvement in some articles, yet that in the main branches of the trade, there had been a diminution of 25 per cent. the consequence was, that the capitalists were withdrawing their capital in the trade, and the workmen in most instances got employment only for three or four days in the week. The poor-rates were, it was ascertained, about the same in amount as last year; but, looking to the comparatively reduced prices of food, they must in effect be considered higher. The distress complained of was in a considerable degree aggravated by the state of the iron-works in the neighbourhood. In looking at the whole of the case, he feared that the depression arose more from general than local causes. He was not prepared at present to follow up the presentation of this petition with any specific motion. He wished, however, to impress upon the House, that the subject required the most serious attention of the House and his majesty's government. The case was such as called for a speedy remedy, and he hoped, that the petitioners, who had hitherto borne their distresses without complaint, and who were conspicuous for their loyalty, might obtain such attention to their situation as would tend to relieve them from their present embarrassments.

Mr. *Lawley* thought it his duty to recommend the prayer of the petitioners to the most serious attention of the House. It was entitled to serious consideration, not merely from the number and respectability of the petitioners, but from the importance of the statements it contained. The petitioners had divided themselves into small parties, in order to ascertain, in the different parts of the town, the state of the consumption of articles of necessary use, and they found that it had fallen off one-third in the last two years, and that in the article of bread there had been a very considerable diminution. It was far from his intention to give any contradiction to what had been stated by his ministers upon the improvements which had taken place in many parts of our trade. He had heard such statement with pleasure; but if he were to rest his opinion upon what he knew of the state of the trade of Birmingham, it was not such as would bear out those statements.

Mr. *Littleton* observed, that if similar inquiries to those made in Birmingham had been instituted in the south-west of the county of Stafford, the same results would have been found. He believed, though the petitioners only hinted at it, that if a committee should be appointed, a great part of the distress complained of would be found to have resulted from what had been, he would admit, very properly, done by government with respect to the metallic currency, and the limitation of issues from the banks. He had, however, every reason to hope that confidence would soon be restored in this respect. He had heard from several gentlemen connected with the manufacturers in Birmingham, that a great deal of business had been done on paper credit, which must necessarily have been since reduced in proportion to the great reduction of issues from the country banks. This was a great check, and though it could not be said to operate at present, yet it had operated to a very considerable extent at the period when those limitations took place. The petitioners, it appeared, did not attribute the distress of which they complained, to the cessation of the demand for the articles in their trade, at the termination of the war; but they had not carried their inquiries farther back than two years. If they had carried them back for the last five years, he was of opinion that they would have found, that that cause had operated very materially in producing the distress which was now felt. When he considered the very great extent to which the trade, in articles of military furniture, had been carried on in Birmingham, the great quantity of swords, guns, stirrups, and other such articles which were constantly in demand; when he considered the large armaments which were fitted out in almost every part of Europe, and the liberal assistance which was given by this country; when he considered the great bodies of militia which were kept up for so long a time, and when he reollected the increased demand which those circumstances must have created for articles in the Birmingham trade, he could not but conclude, that it would require many years to fill up the chasm caused by the cessation of such a demand. He happened, some time ago, to have been one of a deputation which waited on lord Mulgrave, then master of the ordnance; and he learned, on that occasion, that at one time the demand for arms was so great, that they had been in the habit of manufacturing a musket per minute. He mentioned this only to show the great demand which existed for an article in one branch of the trade. The petitioners admitted that the committee of foreign trade was a boon; but that that alone would not be effectual. Some improvement should be effected in their home trade. He believed that there was no article of domestic manufacture of which there was so large a consumption as our hardware. The hon. member then observed upon the state of the iron trade, and that part of the hardware manufactures with which it was connected, and said, that although the export had, in 1817, been very considerable, yet he believed it was forced, and was the result of speculation, arising out of the low state of prices. He considered the depression of agriculture one prominent cause of the falling off in the iron manufactures. Any relief that could be devised, and was likely to prove effectual, he would be willing to support. He thought that some relief might be afforded by a revision of our system of taxation. The farmer did not now get more for two bushels of corn than he did some time back for one. He was aware that it would be unpopular to propose the imposition of any new tax: indeed, the proposition would be idle at present, for the country was not able to bear it; but it was his opinion, that if a tax (not an income), but bearing equally on funded and landed property, were levied, it would be a great relief to the farmer, as well as to the manufacturer.

Mr. *Curwen*, having been requested to support the prayer of this petition, could not suffer it to pass without a few observations. The iron trade was a most important branch of our manufactures; and from the skill and capital engaged in it, it was, he believed, less likely than most others to be interfered with by foreign competition; therefore, when he heard complaints of the depression under which those who were engaged in that trade laboured, he thought it a proof of the great distress in which the country was involved. He regretted, that in the speech which his majesty had been advised to deliver from the throne, there was scarcely any allusion to the agriculture and commerce of the country. Some kind of hope had been held out, when it was stated that an improvement had taken place in some branches; but was this of such a nature as to encourage a hope that a favourable change was about to take place in the state of the country? He believed not; and if his ministers would consent to inquire into the subject, it would be found, that there was more ground for alarm than for hope. It was said, that the increase in our cotton-manufactures was a proof of this growing improvement. If, however, that were to be looked upon as an improvement, the workmen would, as on other occasions have turned round and demanded an increase of wages. He looked upon that increase as the result of a speculation, from which no general benefit to the country would be derived. It was his fear that government had not made themselves acquainted with the real state of the country. That a committee with respect to our foreign trade would be appointed, gave him great satisfaction, and he hoped it would do some good. He also hoped that our agriculturists would get possession of the home market; but he thought that these would not be found remedies for the distresses of which the country complained. We might go on from day to day with such palliatives, but they would not be found sufficient for the evils we had to remedy. If it were not disorderly to allude to what occurred in another place, he might observe upon what had been said—that our distresses did not arise from taxation, for that in that respect sixteen million annually had been taken off since the war. This he should be disposed to consider a boon, if our trade had remained the same as it was at the close of the war; but so far from that being the case, we had lost, in the decline of our trade, more than would be sufficient to cover a tax of 16,000,000*l.* Was the noble lord opposite prepared now to contend, that we were better by a reduction of taxation on diminished means, than we were when that taxation was greater but when our means were still greater in proportion? Wheat, at the former period, sold for 10*s.* the bushel, which now only produced 6*s.* and our other produce were in the same ratio. Could this be called an improvement? An hon. gentleman had spoken of the effect of a metallic currency; now he would admit, that in no case ought we to go back to a system of restriction of cash payments, for that would only delay the evil; but he would ask, whether such an issue of cash would not have the effect of diminishing the value of land; and if that were the case, had we not a right to go into a committee to inquire into the decrease on one property, and the increase on another? The remedy which he thought would be an effectual one was this—a decrease of the interest to the fundholder. This was the only remedy, and the present was the time when the question could be fairly met. The cheapness of food was not under present circumstances a blessing to the country, for it lessened the value of landed property. He called, then, upon the noble lord, not for a committee which would suggest a partial remedy, but a remedy which should be found generally effectual. He grounded this upon the reduction which cash payments would make in the value of landed property. But he had also another ground, the enormous amount of the poor-rates. Why, he would ask, when the value of land was thus swallowed by taxation and poor-rates, might not the landholder as well give up his property altogether? Under such circumstances he asked, had not the landed proprietor a right to call upon the government for that relief which would arise from an equalization of the burden? What was the real property of the kingdom? Mr. Pitt used to look upon it as 28,000,000*l.* a-year, but he might now say it was not worth more than 20,000,000*l.* At that time the poor-rates were only 3,000,000*l.*; they were now 8,000,000*l.* Was not this, then, a case which called for legislative interference? Ought not the interest of the fundholder, which was now twice the amount of the value of the land, to bear a fair portion of the public burdens? When he heard an hon. member propose a property-tax, he wished to God that the country was in a situation to bear one; but he asked the gentlemen of landed property what was their present situation with respect to rents? He would state how he himself was circumstanced in this respect? He had been, for a long series of years, engaged in agricultural pursuits, and he thought he might say of himself that he had never been considered a hard landlord; but, notwithstanding, he had almost all his farm-lands offered to be given up to him. When very many of his tenants asked for a reduction of not less than 25 per cent in the amount of their rents, he thought such a reduction unreasonable, but he told them to wait till July, and that then he would consent to let the lands be valued, and they might take them for what they should be worth. Did not this circumstance prove the state in which landlords were placed, and the danger there was of the farmers of the country being obliged to throw back the farms on their hands? From such a state it might be seen how well able the country was, to meet the proposition of a property tax.

Mr. *Littleton* begged to explain, that he did not mean distinctly to propose a property tax, but had stated that it was just that some share of the public burdens should be laid on that monster of consumption, the funded interest.

Mr. *Curwen* said, that if what he had alleged was the real state of the case, he would wish to know whether the noble lord meant to adopt as his maxim the observation of one of his colleagues, namely, "sufficient to the day was the evil thereof." The number of unemployed hands in the country was daily increasing, and the weight of taxation was bearing the farmer to the ground. If government would go into the examination of these things, it should have his support. This was a time that called on every man to forget party, and to join heart and hand to endeavour to extricate the country from its embarrassments. Some gentlemen were afraid of parliamentary reform, some were afraid of Catholic emancipation, and others had some similar cause of apprehension; but he believed the time was coming, when they would have nothing to do, and, therefore, nothing to fear. If that moment did arrive, men of property and consequence might feel themselves compelled to resort to measures at which they would now tremble.

Mr. *W. Peel* believed the allegations in the petition were unfortunately true. The trade of Birmingham was in a very deplorable state. He was satisfied the workmen could not be maintained without parochial relief. The inquiry called for, as it would afford satisfaction to a numerous class, was, in his opinion, advisable.

Mr. *Robinson* remarked upon some of the objects of the petition, and deprecated, in strong terms, any attempt to abrogate the Bank-payments act, which had been passed only two years ago, and also deprecated the resorting to any remedy for the national distress, which should be founded on a breach of the public faith. He could not contemplate any thing more unjust, or whose tendency would be more fatal. He begged those gentlemen who made such a proposal with the view of reaching the great fundholder, to consider what in such a case would be the state of the small fundholder, whose whole means of existence were dependent upon the observance of the public faith? He considered the proposition neither honourable nor useful; but, if any motion was founded on the petition, he would give it his anxious attention, as no one was more inclined to favour every inquiry which could tend to the relief of the country.

Mr. *Baring* was surprised that the right hon. gentleman had sat down without expressing more of his feelings on the specific subject before the House. In what he had said with respect to the interest of the national debt, he agreed with the right hon. gentleman; and if there was one subject on which every honest and honourable man in the country were united, it was that; for that country could have no honesty and no honour, which, after passing through a war like the last, by borrowing money of some of its subjects, should in peace refuse to make good its engagements. He was sure the benefits calculated upon from such an expedient would not be realised, and, that in a country like this, one description of property could not be touched without endangering every other. The hon. gentleman would find, if the mortgage which the public creditors had on the property of the country were disregarded, that his own title-deeds would soon be worth nothing.—

Mr. *Curwen* wished to keep good faith with the public creditor, if that were possible. It was on the assumed impossibility of doing so, that his argument was founded.

Mr. *Baring* resumed. Undoubtedly it had been proposed by many gentlemen to pay off the public debt by means of a sacrifice of property on all sides; and such a doctrine had even been supported by high authority in that House. He himself had always considered it impracticable. The sacrifice of general property must be at all times, and in all countries, attended with much danger. When his hon. friend spoke of impossibility, as the reason why such a plan should not be adopted, he would say, that he never considered it impossible to pay debts as long as the party owing them possessed a farthing of property. The petition brought the House to the consideration of the general concerns and state of the country; for although it presented a correct representation of the state of Birmingham, it was also a true picture of the whole nation. There was no interest in deeper distress than the agricultural interest; and that was certainly a most important consideration for the House, and most particularly for country gentlemen. For that reason he had been surprised to see the right hon. gentleman sit down without adverting to so interesting a topic. It was a serious thing, that the sixth year of peace should find the nation in such a state, that a speech from the throne represented no one of its interests to be in a state of prosperity. He was not to be considered as a party man upon this subject, and he hoped that all would come to it, without any of those differences of opinion, which arose from party motives. Nothing was so urgent and important as a strict examination into the causes of our present state—a state, he was convinced, not resulting from the cessation of war, for the petitioners themselves proved it. They stated that the year 1818 was a year of comparative prosperity; and that since that year their distresses had been accumulating. They also said, that their local distress originated in the great depression of the American market. The Americans had formerly sold their flour for 10 dollars, and could now get only three dollars and three quarters. The consequence of this was, that the manufacturers of Birmingham, who had worked more exclusively for the American market, felt a great diminution in the demand for buckles and similar articles which they have been accustomed to supply. This falling off in the American trade increased the effect felt from the defalcation of the home trade, which was always the chief resource. Whatever might be the intention of parliament, he, for one, thought that the subject required the deepest consideration. No relief could be safely or effectually applied, without fairly ascertaining the real, undisguised state of the case. He had no hesitation in making up his mind respecting a great part of the difficulty and distress of the country. A very considerable part of the distress, he was convinced, arose from the nature of the currency. He did not mean to say that we ought, therefore, to return to an unlimited paper currency; he only wished to call attention to the danger of a departure from a proper standard. That departure had undoubtedly produced extravagance in the public expenditure, for which we were now suffering so severely, and increased the public debt to an amount so enormous as to make a return to the right standard extremely difficult. Yet he was of opinion that the produce of the soil was not of much less value now, when the quarter of wheat was sold for 60 shillings, than it had been when the price was 80. It was less relatively to nominal pounds sterling; but a quarter of corn would now buy as much cloth, or as much iron, as when it sold for 80*s*. If they supposed a man to have had no debt, and to have now an income of 60*l*. instead of 80*l*., he was in the same relative situation. But, unfortunately, many farmers of small capital had been induced, by the rise in the prices of corn, to take farms under mortgages for a large portion of the price. In consequence of having thus tampered with the currency, many honest farmers had not only lost all their property, but were themselves in gaol. Many instances of men having so suffered, had come under his own observation in Somersetshire—of men who had not only lost all the capital they had engaged in agriculture, but were themselves in prison. The currency had thus occasioned a serious hardship to many of the most meritorious class of persons in the community. Of course this evil had extended to every kind of landed property. The great debt, operating as a great mortgage, had produced the same kind of inconvenience in proportion to the real property of the country. He trusted that these calamitous results would, in future times, operate as a warning against similar acts of injustice, in the event of the country recurring to a state of war. Unless the whole system, and the consequences of that system, were thoroughly understood, he was persuaded that two years of war would bring back all the evils which had been produced by the state of the currency. The facts stated by these petitioners, that a diminution had taken place in all the articles of consumption, was undoubtedly true; but gentlemen on the other side of the House were in the habit of referring to the increase of exciseable commodities, in opposition to this statement. Now, it appeared to him, that there was no difficulty whatever in reconciling the diminished consumption of which the manufacturers of Birmingham complained, with the increased consumption of exciseable commodities. If 100*l.* now, would go as far as 120*l.* or 130*l.* before, it was evident that the increased consumption of exciseable commodities arose from the increased means of the man of fixed income. For instance, any person who formerly kept a horse, when oats were 50*s.* a quarter, might now keep two horses, when oats were but 25*s.*; or at least, any man who formerly kept two, might now keep three horses. There was another circumstance which was also to be taken into consideration, namely, the operation of 3,000,000*l.* of new taxes; the increase of revenue was not, therefore, a fair measure of the increased consumption. It should never be forgotten, however, that the increase of the prosperity of the unproductive classes of the community, was a consequence of the decrease of prosperity among the productive classes. This was a most unfortunate circumstance in every point of view; and if any proof of this fact were wanting, it would be found in the state of the excise in Ireland, where there were but few stockholders, and the number of persons possessing fixed incomes, as compared with this country, was very trifling. There the excise would be found to have diminished, so much so, that upon a comparison of the years 1820 and 1821, it had fallen off from 1,700,000*l.* to 564,000*l.* It was the drones in society whose means of enjoyment were increased, while the interests of all who were actively engaged in commercial and agricultural pursuits were depressed. The main object at present was, to endeavour to understand our situation, and to see our way out of the difficulties which surrounded us. The subject which most called for the deliberate consideration of the House, was, undoubtedly, the expenditure of the country. The House should compare the expenditure of the country in former times with the expenditure which had grown out of the state of the currency; and if 60*s.* were now equivalent to 80*s.* at a former period, they should consider the best mode of bringing back 80*s.* to 60*s.* in our expenditure. In saying this he disavowed any disposition to starve the servants of the government, or to underpay the services of necessary and efficient officers. There was no worse economy than remunerating efficient services inadequately; especially if that reduction were applied to subordinate departments. But, though such reductions would not only be improper, but dangerous, there was undoubtedly a great deal to retrench in the expenditure of the country. An hon. gentleman on his side of the House had stated, that the expenditure of the country, independently of the additional quantity, had been augmented threefold since the year 1792. No doubt, retrenchments to a very considerable extent might be effected; and from the temper and deliberation with which, he was persuaded, the House would examine this subject, he was apprehensive of no ill-consequences. He deprecated any violation of the public faith, and he hoped the country would be able to hold to the present state of the currency; but he was persuaded that we could neither do one nor the other, without retrenchment in the expenditure of the country. There were, indeed, many parts of that expenditure which it would be very difficult, if not impossible, to retrench; such as the soldier's pay, retired allowances, and similar branches of expenditure, in which it would be impossible to explain to the persons to whom the reduction would apply, the necessity of the alteration. This was one of the great mischiefs of tampering with the currency of the country; for it was, in many instances, impossible to take back what had been once granted, when the pay became more than adequate to the services. It was certainly most unpleasant for gentlemen of large landed fortune to consider that they could no longer get the same rents which they had received under a different state of things. The misfortunes of the country arose in a great measure from gentlemen not taking these circumstances into consideration, and entertaining such unreasonable expectations. The price of corn, as compared with other commodities, was, in fact, nearly as high as it had ever been. Though he thought it would be highly inexpedient to tamper with the currency, he wished, at the same time to hint at the course which he should wish to see adopted. He was desirous of giving the public creditor all that he was by law entitled to, but not to go beyond it. If the House would hereafter grant him a committee to facilitate the investigation of this subject, he should suggest the expediency of giving to the Bank the option of paying either in gold or silver, that the value of the two precious metals might be rendered more equal, and the present pound sterling, which was somewhat too high, relaxed. He wished to relax a cord which was at present stretched somewhat too tightly. Without meaning to suggest insidiously an act of injustice with justice in his mouth, or to trench upon the system of the member for Portarlington, he thought that the pound sterling might be made subject to payment in either of the precious metals, without the slightest injury to the public creditor. This course would have the effect of removing a great deal of uncertainty which at present prevailed. There was hardly a country bank which knew what to do, from the uncertainty as to what was to become of the system; and it appeared, from a late discussion in that House, that the Bank of Ireland refused to take gold coin as a deposit, and that the paper pound was actually three per cent above par.

Mr. *Western* was of opinion, that much good would result from an inquiry. The petitioners stated, that the year 1818 was one of comparative prosperity. This was also the case with agriculture. This proved the union of the two interests, and that whilst the one flourished, the other prospered.

Mr. *Ricardo* said, that if the House would indulge him for a few minutes, he should be desirous to make one or two allusions to what had fallen from his hon. friend below. The great point to which his hon. friend had addressed himself was the origin of the prevailing distress. By some persons this was ascribed to taxation, by others to restrictions on trade, and by his hon. friend to an alteration in the currency, which he seemed indeed to consider as almost the exclusive cause. With this view his hon. friend had entered into a comparison of the prices of corn at various periods, and he stated the fall to be from about 80 to 60*s*., inferring that other articles had undergone an equal depression. He seemed to think that with a quarter of corn he could now purchase the same quantity of other commodities which he could have obtained with it when corn was at 80*s*. and that the reduction of prices was therefore general and equal. Now, this representation he apprehended was erroneous. He could not agree that prices had fallen generally in the same proportion. He believed that the fall in corn had been severe beyond measure, whilst there had been no fall with regard to many other articles, or at any rate no fall in the least degree similar. If the prices of bullion were referred to at former periods, it would be seen that the price of corn had altered to the amount of 25 per cent. He was surprised to find his hon. friend making a statement from which, if correct, it must be inferred, that the distresses began at the moment when the last change in the currency took place. Now, if he looked back to the price of bullion in the flourishing year 1818, and compared it with the present price, it would be seen that the difference did not exceed 6 or 7 per cent. To this extent other prices might have since been affected, and he had no doubt that there had been a considerable reduction of prices in other countries. Wine had fallen here, and so had cotton goods; but he believed that fall was not more than equal to that which had occurred in most parts of Europe. In 1816 the price of gold was at 4*l*. an ounce. In the following year it was 4*l*. and 6*d*. In 1818 bullion still did not rise above 4*l*. 2*s*. and 4*l*. 3*s*, and in 1819, when the plan which he had the honour to recommend was adopted by the House, it was at 4*l*. 1*s*. The question, then, before the House was, whether it was advisable to return to the old standard, or to take the existing market rate, which was then about 4 per cent above that standard as the measure of value in future. But his hon. friend had argued on this subject as if bullion had been at that time, as it formerly was, at 5*l*. or 5*l*. 10*s*, an ounce. If, instead of being at 4*l.* 1*s.* bullion had been much higher, he should not have proposed a recurrence to the mint standard. What he was anxious about, was not to restore the old, but to establish a fixed standard; for, however desirable it might be to a body of merchants or bankers to possess the power of raising or lowering a fourth or fifth the value of the currency, and to make 3*l.* 17*s.* 10½*d.* at one time, equivalent to 5*l.* at another, it was a power destructive of every engagement, and finally ruinous to every interest. He was not anxious to restore the old standard; but the market price of bullion being then only 4*l.* 1*s.*, he did not think it necessary to deviate from the ancient standard. What increased his surprise at the view which his hon. friend had taken in tracing all our distress to a variation in the currency was, that when a few years back we had so much greater variations, we had no such distress. With regard to the depression of agriculture, he believed it was a good deal owing to the laws which were enacted for the purpose of protecting it. It was certainly desirable that those engaged in the production of corn should have a vent when an excess of supply existed. When two or three good harvests followed in succession, we might, if prices were at all on a level with those on the continent, export it after a fall of three or four shillings a quarter; but at present there must be a destructive fall before it could be sent abroad. The hon. member for Cumberland, as well as the hon. member for Staffordshire, had talked of the extreme pressure of taxes on agriculture; as if they were found, in that respect, to be peculiarly burdensome. The stockholder was described as being comparatively free from these effects; but it would not be difficult to show, that all taxes fell upon the consumers of those commodities to which they were annexed; and if this were not the case, he did not see what right the landowner had to ask for protection. He could demonstrate, if it were necessary, that taxes always raised the price of that commodity on which they were laid, and therefore fell on the consumer. Was it not impossible that farmers could continue to grow corn for a series of years unless they obtained remunerating prices?—He would now offer a very few remarks on what had been thrown out as to the restoration of two metals as a standard. It gave him pain, however, to hear any allusions made to the subject of not paying the public creditor, and to find that they met with the reception which they did in some quarters. If, indeed, the dividend was to be reduced, he trusted that it would be done openly, and that no stratagem or delusion would be practised. With regard to the plan of his hon. friend, he was sorry that he could not approve of it, recommending, as it did, a different standard from that fixed in 1819; at least, he could not help thinking that the plan amounted to this when he heard his hon. friend say, that the string was too tight, and that it was desirable to empower the Bank to pay either in gold or silver. This appeared to him to be a complete departure from the true and sound principles of currency. No currency could be of the same value perpetually, any more than other articles could always retain the same price. Gold bullion, however, was the commodity which varied the least; and if a contract was made to pay 100*l.* at a future period, the contract would be most faithfully performed by the payment of that sum in gold. But it might suit the purpose of the debtor to pay it in silver, whilst, by so doing, the creditor would sustain a loss. The two metals seldom maintained the same proportion to each other long. The price of the one might rise, while that of the other fell. So the Bank being now under an obligation to pay 60 ounces of gold, would enable a person who received it, to propose more, or a greater nominal amount of commodities than he would if he paid in silver. The relative value of the two metals had varied since the act of parliament; but what was the cause of that variation? It was this: the Bank being a timid body, seldom clinging to the true principles of circulation, had taken alarm, and had made great and unnecessary purchases of gold, although they found, by experience, that no person applied to them for any. He almost doubted whether a single bar had been demanded from them since the commencement of the new plan. If the Bank were enabled, according to his hon. friend's proposition, to pay in silver instead of gold, they would now realize a profit equal to the difference between 4*s.* 11½*d.* and 5*s.* 2*d.* As soon as this profit should cease, the two metals would have recovered their relative value, and then it would be difficult to discover the value of his hon. friend's proposition. He had proved last session that the two metals might vary to the extent of three per cent; but his hon. friend then remarked, that this might be true in theory, but in France, where the experiment had been tried, the difference did not exceed one per mill. Still it was something to find that the possibility of the variation was admitted. He entirely agreed in all that had been said with regard to the retrenchment in our expenditure being the principal, if not the only source of relief. The committee would, he doubted not, without preconceived or particular views, inquire whether the present system of restrictions on trade was advantageous to the country. He should only add, with respect to the rents of land, that no interests could be more distinct than those of the owners and occupiers; yet it did happen that the latter were persuaded to petition that House for regulations which might be beneficial to one class, but most injurious to themselves.

Mr. Alderman *Heygate* denied that the distress was confined to the growers of corn. It was felt in the production of all articles. It extended to other countries, and especially to America, where the principles of the hon. member (Mr. Ricardo) had been pushed to their fullest extent. The hon. alderman alluded to the passing of Mr. Peel's bill, which, he contended, had produced all those evil effects, of which he had forewarned the House. The title of the bill ought to have been, "a bill to add one-third to the national debt; to add, in the same proportion, to all fixed incomes; and to subtract an equal amount from all the resources of productive capital and industry." As to the remedy which had been suggested by reducing the interest on the public debt, it was objectionable both in justice and policy. Even while parliament should be deliberating on such a measure, an immense portion of capital now vested in the funds would be transferred to other countries, never to return. Still, however he might disapprove of the late act, he should pause before he would advise its repeal, considering what had been since done to carry it into effect—how much had been already endured—and that we were now at peace, with the balance of trade improving in our favour.

Mr. *Baring* proceeded to explain his former observations, particularly where he differed from his hon. friend. His hon. friend argued, that the alteration in the currency could only operate in proportion to the difference in the price of bullion, which had only varied from 6 to 7 per cent. It by no means happened that temporary variations in the price of bullion affected the prices of other articles. In the course of one day, bullion had often risen and fallen again. Indeed he recollected, that the day of the battle of Waterloo, it had varied to the amount of ten per cent. Its effect on prices was gradual. As to the depreciation of the currency in its relative value to the several commodities, the issue of 15 or 20 millions of paper would produce that depreciation as well as an equally increased issue of gold; but the depreciation of the currency from the issue of paper had not been so sensibly felt in this country until the very mistaken measure was adopted of making paper a legal tender, and thus forcing it into circulation. The consequences, indeed, of the general system with respect to the issue of paper, had been, to drive gold out of the country. But, from the operation of the plan lately adopted by the legislature with regard to the resumption of cash-payments, he repeated his conviction, that the value of the pound sterling, with reference to the price of commodities, had advanced one-third, or at least one-fourth, above that which it bore during the latter years of the war. Of this, indeed, every man must be sensible who tried to revert from his present habits of expenditure to those which he pursued at the early part, or previous to the late war. But the comparative difference between the value of the pound sterling, and that of the several commodities, must be obvious to any one who considered the reduced price of corn, of cotton, and hardware, as well as that of other commodities, which he need not detail. Here the hon. member again urged the policy of allowing of a double tender, a standard of value, that is, of silver as well as of gold. That one standard of value was a pleasing thing for his hon. friend to fix upon, wen discushsing those subjects in his closet, was very probable; but for what purpose of practical utility such a standard should be fixed, he, as a practical man, was quite at a loss to imagine: although the establishment of such a standard might be more agreeable to the views of the Royal Society, or other abstract philosophers, who would regulate weights and measures by the vibrations of the pendulum. For he could not see why the Bank of England should not have the option of paying in silver or gold, as well as the bank of France. Such was the practice in all the great commercial establishments of the world, as well as in France, with the exception of the city of Hamburgh. But it was known that silver had been the ancient standard of value in this country. His opinion, however, was, that there should be an option of paying in either silver or gold, in order to afford additional facilities for our circulating medium, and to relieve the bank from those measures, which, from an over-anxiety to comply with the prescriptions of the legislature, it had no doubt taken to provide a certain supply of gold. But he was the more solicitous upon this subject, because he felt that the establishment of a double tender would enable the bank to afford such facilities as would materially contribute to relieve the distress of the country.

Mr. *Ricardo* remarked, that the difference between his hon. friend's opinion and his own was this, that he maintained the advance of the pound sterling with reference to the price of commodities to be only about 4 or 5 per cent, which was equal to the difference between the price of gold at 4*l.* 1*s.* and 3*l.* 17*s.* 10½*d.* an ounce, while his hon. friend maintained that advance to be equal to 25 per cent. But how came it, he would ask, that although Russia, Austria, and France had adopted the same system as this country in the issue of paper, there should be such a difference in this country alone as his hon. friend had stated? He, however, differed from the views of his hon. friend, the principle of whose animadversions would in a great measure operate against any metallic currency whatever. With respect to his hon. friend's recommendation of a double tender, it was obvious, that if that recommendation were adopted, the Bank, although it seldom saw its own interest, would be likely to realise a considerable sum by the purchase of silver at its present reduced price of 4*s.* 11*d.* an ounce. But as this purchase would serve to raise silver to the Mint price of 5*s.* 2*d.* and comparatively to advance the price of gold, the consequence of which would be to drive gold out of the country, this was, among other reasons, an argument with him for resisting his hon. friend's doctrine.

Mr. *Atwood* stated the fact, that during a period of two years and a half the Bank had issued five millions and a half of sovereigns, notwithstanding which, not one was to be seen in circulation.

Mr. *Hume* observed, that the fact stated by his hon. friend, with respect to the fate of the sovereigns issued by the Bank, afforded conclusive evidence of the consequence of an excessive issue of paper in driving gold out of the country; for it appeared, that of the five millions and a half of sovereigns which the Bank had issued, no less than four millions had been recoined by the treasury of France.

The petition was ordered to lie on the table, and to be printed.

HOUSE OF COMMONS.

Saturday, February 9.

TIMBER DUTIES—PETITION FROM NEW BRUNSWICK IN FAVOUR OF.] Mr. *Marryat* rose and said;—Mr. Speaker, I hold in my hand a petition from the merchants, ship-owners, and magistrates of Miramichi, in the province of New Brunswick, setting forth the vital importance of the timber trade to the inhabitants of the British provinces in North America, and praying that this House will not suffer it to be placed on a footing less favourable to them than it is at present. It may be proper to premise, that such is the importance of Miramichi, that of 1,520 British vessels employed in the timber trade with our North American colonies, in the year 1819, no less than 297 loaded in that port alone.—Statements from the inhabitants of the colonies themselves, how far their prosperity is likely to be affected by any legislative measures of the mother country, bearing upon their productions and commerce, are highly important, as they serve to correct misapprehensions and errors, into which, at this distance, we are apt to fall, for want of authentic information respecting interests so remote. The truth of this remark was never more strongly exemplified than in the present instance; for never was there a greater discordance than between the facts stated in this petition, and the report of a committee of the House of Lords, made in the last session of parliament. The variance between them is so great, that justice to these petitioners, and to the other inhabitants of the British provinces in North America, calls upon me to point out, as I go along, the mis-statements with which that report abounds; and this I am at full liberty to do, it having been communicated to us by message from the Lords, and reprinted by order of this House.

The petitioners state, that the timber trade gives the greatest possible encouragement to the agriculture of the British colonies in North America. The report, on the contrary, states that, "it cannot be considered as directly affecting the interests of the Canadian landholder, as the value of the timber sold at Quebec does not exceed, by much, the expense and labour of procuring it for shipment, and the landholder himself gets little or nothing for the timber." This passage is not consistent with the evidence given before the committee, by Mr. Henry Usborne ,Mr. John Hamilton, or Mr. John Bainbridge, all of whom state, that though the timber is of little value as it stands in the forest, it becomes valuable from the labour bestowed on it; and both the latter add, that persons connected with agriculture, employ themselves in cutting timber, and getting it down to the shipping-places, during the winter, when all operations in agriculture, from the nature of the climate, are suspended. The evidence of Mr. H. Usborne, and Mr. J. Hamilton applies particularly to Canada, that of Mr. J. Bainbridge to Nova Scotia and New Brunswick. The petitioners not only confirm their testimony, from which it results that the farmer has the benefit of preparing the timber, and removing it to the shipping place, as well as its value while standing, which is altogether kept out of sight in the report, but assert, in farther proof of the encouragement given to agriculture by the timber trade, "That farmers, who a few years ago, raised only enough from their lands for the support of themselves and their families, and had no incitement to raise more, (because there were then no purchasers for what they could spare), have, since the commencement of the timber trade, increased their exertions in clearing and improving their lands, entirely on account of the brisk demand for all sorts of farming produce required for the use of the timber-cutters, and others connected with the trade, and many industrious and deserving emigrants have been enabled to settle in the wilderness lands of this country, solely by means of the merchants advancing to them the supplies necessary for their support, until their lands were brought to a state of cultivation to yield them a subsistence. The supplies so advanced were payable in timber, which is generally prepared for market during our long winters, when neither farming nor fishing can be carried on."—All these statements are in direct contradiction to the assertion in the report of the Lords committee, "That the timber trade cannot be considered as directly affecting the interest of the Canadian landholder." The truth is, that all the landholders in the British provinces in North America, with very few exceptions, instead of living on their rents, as in this country, live by their personal labour employed on their own lands, and exchange that part of the produce of their lands which they do not require for their own consumption, for articles of British growth or manufacture; and the extent of this exchange is fixed by the amount of their exportations. The landholder in these provinces has a direct interest in every stick of timber, barrel of ashes, bushel of grain, or piece of peltry shipped to Great Britain, or her dependencies. Either the article is his own, on its way to a market, or he has raised the food, or furnished some portion of his labour, for the woodcutter, the hunter, the raftsman, the merchant, and the whole class of persons who are employed in conveying the produce of the colony to the shipping-place, and bringing back or distributing the returns. All these persons are the home consumers of the colonial landholder; and the value of his land, the value of the labour of his forefathers, and of his own labour, depends upon the number of these consumers, without whom all the produce of his land which he could not himself consume, would be of no value.

The petitioners further state, that large sums have been expended in forming establishments for carrying on the timber trade, though the report of the Lords committee is silent as to any such establishments having been formed in any of the British provinces, excepting Canada. They observe, that individuals have so invested their capital, "naturally conceiving that the interests of the British colonies would never be sacrificed to advance those of foreign nations: that in the event of such a stop to the trade as the imposition of the proposed duty would occasion, those costly establishments must go to decay, and all importation of British goods must cease, for the merchant here depends exclusively upon the exportation of timber to Great Britain to make his remittances."—They add, "that white or yellow pine (of which description the great bulk of the wood of this country consists), was shipped, and is now shipping at 14*s.* to 18 shillings per ton; which latter is the very lowest rate at which it can be prepared for market. Even at these low rates, the importation into the mother country this season yielded perhaps in no instance any profit beyond the employment of shipping and in several cases within the knowledge of your petitioners, was attended with loss to the importer. It is therefore obvious, that no duty, however small, can be borne, and that the high duty proposed would amount to a complete prohibition of colonial timber."—In the latter part of this statement, the petitioners are borne out by the Lords committee, who have printed in their appendix an account which, they say they are assured may be relied upon, of the prices of timber from each port, distinguishing the duty, freight, charges, nett proceeds, and cost; according to which, the nett proceeds of a load of Canada yellow pine, without any duty, are only 5*s.* 4*d.*, so that it is obvious that the smallest duty must absorb this miserable pittance and consequently operate as a total abolition of the trade.

The petitioners assert, that the costly establishments for carrying on the timber trade were made, in the persuasion that "the interests of the British colonies would never be sacrificed to advance those of foreign nations." The Report of the Lords committee states, "that encouragement to the importation of wood from the British colonies by the imposition of heavy duties on timber from foreign states, is comparatively of recent date, and does not appear to have formed part of the commercial or colonial policy of the country previous to the late war." It is the business of a legislative committee to inquire after truth, and this committee, had they made diligent inquiry, would have discovered, in various British statutes, that the uniform policy of Great Britain, in regard to the trade of her colonies has been, to make restriction and protection go hand in hand; and that encouragement to this very trade was given by bounties, more than a century ago. In proof of these assertions, I have only to refer to the acts of the 3rd and 4th of Anne, chap. 10, and the 8th of Geo. 1. chap. 12. The principle laid down in the preambles of these acts is the same as is now acted upon. The only change is in the mode of carrying it into effect; and the professed objects of the legislature is declared in these preambles to be, the making Great Britain independent of foreign nations for her supply of timber, and enabling her colonies to extend their importation of British manufactures, which could only be accomplished by a system of permanent, not temporary encouragement.—The same want of due investigation appears in the following passage of the report: "The demand for wood from the countries in the North of Europe has been progressively diminishing, so as to occasion great interruption to the trade of these countries, particularly with Norway, whose inhabitants, notwithstanding the predilection they have uniformly shewn for British manufactures, are not only left without the means of consuming them, but of paying for those which they have received, and for which nearly half a million is stated to be owing, so that the export of manufactures has been reduced to an extent which cannot be estimated merely by a reference to the direct exports to those countries, as it appears that a considerable portion of the manufactures consumed in them are introduced through the channel of the German fairs." The Appendix to this Report contains an account of the value of goods exported from Great Britain to all the northern powers of Europe for the last 20 years. A comparison of the trade with them for the three first of these years before the present timber trade to the British colonies had commenced, and the three last years, when it was in the greatest activity, gives the following results. In the official returns the exports of Norway are blended with those of Denmark, while it was united to that power, so that I have no means of showing them separately:—

1799, 1800, 1801.				1817, 1818, 1819.		
£.	s.	d.		£.	s.	d.
525,734	0	8	Denmark & Norway	816,791	4	0
132,146	16	6	Sweden....	330,498	7	10
1,580,702	4	4	Russia.....	6,198,729	10	1
854,413	1	3	Prussia....	1,512,475	6	10
£.3,092,996	2	9		£.8,858,494	8	9

So that instead of the great interruption to the "trade of these countries, and the reduced export of our manufactures to them," as alleged in the Lords Report, the export of our manufactures has been nearly trebled. Such is the difference between the Report and the Appendix; between the statements of the committee and their official documents:—

With respect to British goods finding their way from Great Britain to Norway, the country more particularly mentioned in the Report, by way of the German fairs, no such fact is stated in the evidence given to the committee. That a few articles of great value and little bulk may occasionally be smuggled, in the manner described by Mr. Solly, is very probable. He says, that "goods are carried by way of Hamburgh to Leipsic fair, where they are purchased by Russian and Polish merchants, taken to the confines of Hungary, and even to the Southern provinces of Russia," but not a word about Norway. Mr. Tooke says, "that he should consider a great number of British manufactures must have been introduced into Russia indirectly through Germany; at the same time it is possible the Germans may transport articles of their own manufacture to Russia, substituting ours for their own purposes." He produces bills drawn upon his house, which have been negociated through Koningsberg, Berlin, and Leipsic, and were ultimately remitted to British manufacturers; but this only proves that the inhabitants of these places have commercial transactions with each other, leaving the particular nature of them open to conjecture. The idea that any considerable portion of the British manufactures consumed in the northern countries of Europe, is introduced through the channel of the German fairs, is extravagant in the highest degree. It might as reasonably be imagined, that a considerable part of the productions of those countries find their way here in the same circuitous mode. A merchant who should set out from London to purchase Russian sheeting or linen at Leipsic or Frankfort fair, might expect to have a statute of lunacy taken out against him, as being incapable of managing his own affairs; and this part of the Report betrays so much want of commercial knowledge, that it reminds me of an observation made upon another set of lords (the lords of trade), in a former reign, "that they were Lords among merchants, and merchants among lords." The increase of the exports to our own provinces in North America is not less gratifying than the proof that our exports to the northern powers of Europe have been augmented instead of diminishing. In the years 1799, 1800, and 1801, the export of British manufactures to these colonies was 3,017,572*l.* 6*s.* 2*d.* In the years 1817, 1818, and 1819, it was 5,107,906*l.* 8*s.* 10*d.* If we extend the view farther, and include our export of foreign and colonial merchandise, the amount in the three former years was 3,614,441*l.* 2*s.* 10*d.* in the three latter years 3,391,695*l.* 5*s.* 8*d.* making an increase in our annual exports to the British colonies in north America of more than 900,000*l.*

Another very important fact stated in this petition is, "that the ruin of those immediately connected with the timber trade would not be the only evil effect of the proposed alteration in the timber duties; but that the fisheries of the British provinces would be materially injured; for the salt used in these fisheries is, almost without a single exception, brought out in vessels chartered to carry timber home; and this return freight enables them to bring the salt out at a rate which your petitioners think would be trebled, at least, in the event of the cessation of this trade." This is a most serious consideration. The British fisheries already find it difficult to maintain a competition with those of the United States, and every encouragement is due to that useful and valuable class of men, whose interests, it appears, are materially involved in the maintenance of the colonial timber trade; and who, if that trade be injudiciously sacrificed, may, together with other classes of the population of the British provinces, as the petitioners state, "be obliged to "emigrate to that country, whose ambiti-"ous designs all the energies of those "provinces may one day again be required "to counteract."

Let us now consider how our manufacturing interests would be affected by the transfer of the timber trade from the British provinces to the Northern powers of Europe. The petitioners state, "that all importations of British goods must cease; for the merchant here depends exclusively upon the exportation of timber to Great Britain to make his remittances." —This is the case in New Brunswick, and in Canada the timber is estimated at half the exports of the province. Foreign countries have resources which our colonies have not. They can trade with all the world; but our colonies can trade with the mother country alone. If, therefore, we discourage any branch of trade with foreign countries, they can direct it into other channels; but if we put an end to a trade with our colonies, it is lost to them altogether, and this accounts for our diminished import of timber from the northern powers not having occasioned any diminution in their imports of British manufactures, while such diminution must be the inevitable effect of our discontinuing to import timber from our colonies. The Report of the Lords committee states, "That any material diminution of the duty on foreign timber, would almost immediately lead to an increased demand of that article for most purposes of building, and enable the countries which produced it, but more especially Sweden and Norway, very greatly to increase their consumption of British produce." But would the will follow the ability; or would not the bills drawn for these additional cargoes, be negociated, as usual, at Koningsberg, Berlin, Leipsic, and other places, to pay for foreign manufactures? At least, the disposal of them would be optional; but the British colonist has no alternative; he must draw all his supplies from Great Britain only. Every thing about him and belonging to him, is British; he is clad in British woollens, linens, and leather; the axe with which he fells his timber is British. He roasts his meat at a British grate, on a British spit, or boils it in a British pot, eats it off British plates and dishes, with British knives and forks; drinks out of British mugs or glasses, and spreads his meal upon a British table-cloth. All his surplus means are spent in British manufactures and produce; and this expenditure gives life and animation to British industry. The British manufacturers employed to supply his wants, are consumers to the British landholder, and give him the same encouragement as the consumers employed in the timber trade give the colonial landholder. Thus the mother country and the colonies reciprocally benefit each other; and the question is, whether we shall give up our colonists, who must deal with us, for foreigners who may; in short, whether we shall sacrifice a certainty for an uncertainty.

The petitioners enumerate the ship-owners among the parties benefitted by the timber trade with the colonies. The Report of the Lords committee very coolly states, that by the proposed alteration of the duties, which would transfer it to the northern powers of Europe, "some portion of the shipping now employed in transporting the Canadian timber to this country, might probably be compelled to seek for other employment; and although there is every reason to expect that the increased supply from the north of Europe would be chiefly imported in British vessels, the average difference in the length of the voyage might render a smaller amount of shipping necessary to carry on this particular trade." The extension of the timber trade with the northern powers, contemplated by the Lords committee, is principally with Norway and Sweden; and the assumption that this would be chiefly carried on in British ships, is contrary both to the evidence and to the official documents printed in their Report. Mr. Cowie being asked, "has the timber, since you have been conversant with the trade, been principally imported in vessels of British or Swedish built?" answers, "Principally in vessels of Swedish built." Mr. Pelly, in answer to the same question as to Norway, answers, "Generally speaking, in Norwegian ships." And, by the official documents, printed in their Appendix, it appears, that in the year 1819, the Norwegian tonnage in this trade that cleared from Great Britain was 65,054 tons, and the British tonnage only 11,760 tons. If, then, the true rule of judging of the future is by the past, about 5-6ths of the tonnage employed in the additional trade with Norway would be foreign, and only 1-6th British, instead of "the increased supply being chiefly imported in British vessels," as stated in the Report of the Lords committee. The next assertion in that Report, "that the rate of freight and other circumstances attendant on British shipping, enabled it to enter into successful competition with that of every other country on the globe, is, unfortunately, refuted by the undeniable fact, that the value of British shipping is depreciated in a greater degree than that of any other description of property that can be named. The Lords committee, however, "indulge a confident hope, that the state of some other branches of trade, in which they are about to engage, will suggest the means of giving additional encouragement to the shipping of this country."—The Italian proverb says, "that they who live upon hope, may die of hunger;" and if the Lords committee continue their labours in the same spirit as they have begun them, the British ship-owners have infinitely more to fear than to hope from their exertions.

I shall now show the importance of this question to the British landholder. Let it be recollected that the committee on whose report I have animadverted, was appointed in consequence of a petition from certain merchants of the city of London, against every restrictive regulation of trade, not essential to the revenue: against all duties merely protective from foreign competition; and against the excess of such duties as are partly for the purpose of revenue, and partly for that of protection. The petitioners urge the adoption of this new system, on the ground of buying every thing where it can be bought cheapest; and tell us that on every occasion of such concession or relaxation, as they recommend, a great incidental object would be gained by the recognition of a sound principle, or standard, to which all subsequent arrangements might be referred; and by the salutary influence which a promulgation of such just views by the legislature, and by the nation at large could not fail to have on the policy of other states.—The first recognition of this sound principle which we are called upon to make, is in taking off the present restrictive duties on timber, and transferring that trade from our own colonies to foreign powers. But can we stop here? Principles are immutable in their nature, and cannot be taken up and laid down at pleasure; adopted in one instance, and abandoned in another. If we abolish all restrictions on the importation of foreign timber, how can we refuse to abolish those on the importation of foreign corn? The gentlemen who have supported this petition, declare that they have no intention of interfering with the corn laws at present; but have not foreigners this intention? Was not a threat held out at the late Polish diet, to prohibit the importation of all British manufactures till we admitted the importation of Polish corn; and if we admit the principle of abolishing all restrictions upon foreign competition, as a standard to which all subsequent arrangements are to be referred, we must act upon it in all cases, and without any exception, or we shall subject ourselves to the charge of duplicity and injustice, and excite the animosity, and perhaps the hostility, of of foreign powers.—In this contest the British landholder would also have to contend against a great proportion of his fellow-subjects. The consumers of the produce of the land would save between twenty and thirty millions per annum, by importing it from foreign growers. Prices of all commodities, which depend upon the price of food, would be reduced in proportion; the labourer would be better fed and better clothed for less money; the manufacturer would be enabled to undersell the foreign manufacturer; the ship owner would have as good a chance of bringing home foreign corn as foreign timber; and in the language of the Report of the Lords committee, there can be little doubt but "that such a measure would enable other countries greatly to increase their consumption of British produce." But what would be the situation of the landholder? Wheat could not be worth more than 40*s.* per quarter; his land would not pay the expense of cultivation, and therefore would become of as little value as land in the wilds of North America. Instead of living upon his rent in ease and comfort, he would be reduced to the state of the Canadian landholder, and must work as a labourer upon his own estate for the means of subsistence. Such is the condition to which these new political economists would reduce the British landholder. Let him, then, adhere to that system to which he owes his present opulence, and under which he enjoys protection from foreign competition; a protection as necessary to him, as to his fellow-subjects in North America, and let him beware of encouraging those plausible but delusive theories, which would involve him, as well as the other classes of the community, in one common ruin, only leaving him the consolation of being the last devoured. I shall now move that this petition be brought up.

The petition was then brought up, and ordered to lie on the table, and be printed.

Sir *Isaac Coffin* made a few observations on the assertion of the petitioners, that all the timber brought to this country in British ships, from America, was brought from the British colonies. He would pledge himself to show, that not a stick of this timber was cut in the colonies, but that all was brought from the United States.

Mr. *J. P. Grant* vindicated the Report of the Lords' committee. It was one of the most useful reports that had ever been made.

Mr. *T. Wilson* presented a similar petition from Montreal.

Mr. *Ricardo* had heard with much surprise the principles on the subject of the timber trade advocated by the hon. members who had presented the petitions. They certainly were directly the reverse of the principles laid down in the Report of the Lords' committee, which was acknowledged to be a most comprehensive and correct view of the matter.

Mr. *Marryat* said, he had only contended that the petitioners ought to be allowed to remain in the same state that they were in at present. If the rates were at all lowered, the petitioners must inevitably be ruined.

Ordered to lie on the table, and to be printed.

CENSORSHIP OF THE PRESS IN INDIA.] Mr. *Lambton*, seeing the president of the Board of Control in his place, begged to ask him a question relative to a report which was prevalent in India, namely, that it was the intention of his majesty's government to put in full force the censorship of the press, which had been removed by the marquis of Hastings. He wished to know whether such was the intention of his majesty's government?

Mr. *Bathurst* said, he could assure the hon. member that there existed no such intention on the part of government [Hear!]. The regulations made by the marquis of Hastings were in full force, and it was the intention of government that they should remain so.

Mr. *Lambton* expressed himself perfectly satisfied with the answer of the right hon. gentleman.

PETITIONS RELATIVE TO THE QUEEN.] Sir *R. Wilson* presented a petition from the operative braziers of the metropolis, praying for the restoration of the Queen's name to the Liturgy. In presenting the petition, he took the opportunity to contradict the reports which had been spread to the prejudice of the Queen, and these petitioners, relative to the sums of money that had been paid by her majesty towards defraying the expenses of the processions that carried addresses to her. He was authorized to state, that the brass armour and different devices, wrought for the purpose of the procession of the braziers to her majesty's residence, cost 7,000*l.* and 150*l.* more was expended in support of the procession; but that not one shilling of these sums was paid by the Queen. The master-manufacturers furnished the materials for the men to work, and each journeyman paid two shillings for the procession. The petition had 1184 signatures, and concluded with a prayer, that the Queen's prosecutors might be made to pay out of their pockets or pensions, the whole of the expense which had been incurred by the prosecution of her majesty, and that the House would not assent to any proposition for a grant of the public money for such purposes. He should certainly support the prayer of the petition. There was a mysterious connexion betwixt the Hanoverian minister and the Milan commission to be explained, before he could vote for a shilling of the money expended by that commission. It was yet to be explained how it happened that a certain Hanoverian minister, after having been detected in picking locks in the Queen's house, was appointed minister to the Hanoverian court, at Rome, where he was found offering 1,000*l.* to a member of the pontificate to gain over the members of her majesty's household.

Ordered to lie on the table.

CHESTER PETITION, COMPLAINING OF THE CONDUCT OF THE SHERIFF.] Lord *Belgrave* said, he rose to present a petition, complaining of the conduct of the high-sheriff of the county of Chester, at a late public meeting, which had been signed by 300 freeholders in the course of two days. As it would not be in his power to be present at the discussion of the motion relative to the conduct of sheriffs, which the hon. member for Northumberland meant to introduce on Wednesday next, he would take that opportunity of stating his opinion on the subject. Notwithstanding it was a question intimately connected with the rights of the subject, which appeared to him on some late occasions to have been materially invaded, he would not have troubled the House with his sentiments on it, if he had not deemed it to be his imperative duty, fearlessly, however feebly, to declare openly what his opinions were. The facts of the case were these—In consequence of a requisition, most respectably signed, the high-sheriff of Cheshire called a meeting at Northwich, on the 11th of Jan. last, of the nobility, gentry, clergy, and freeholders of the county, for the purpose of addressing his majesty. He would here observe, that the requisition desired that a meeting of the "inhabitants" of the county might be called, which term the high sheriff took upon himself to convert into the "freeholders." Now, although the high sheriff held the roll of the freeholders' names, it was monstrous that the loyalty of any county should be supposed to be confined to the freeholders. The population of Cheshire was computed at 200,000, of which only about 2,000 were freeholders: so that a meeting of the freeholders alone was certainly an unjustifiably exclusive meeting. At the meeting an address, simply expressive of loyalty and attachment to the king and to the constitution, was moved and seconded. During the speeches of the mover and seconder, the utmost silence prevailed, except a trifling interruption at something having been said which was considered inimical to the liberty of the press. A noble relation of his (earl Grosvenor) then thought it his duty to come forward and propose an amendment. His noble relation was averse to any meeting at that time, but as one had been convened, he thought himself bound to attend. The moment of his noble relation's rising seemed to be the signal for general confusion. He was glad to see an hon. member for Cheshire present, as he would answer for the facts which he was now stating. That hon. member knew that he spoke only the truth when he said, that at the moment to which he alluded a scene of confusion instantly took place, such as no eye had seen, no ear heard, and no tongue could adequately tell. He spoke advisedly when he declared, that that confusion commenced by persons whose talents, property, rank, and consideration in the country, might have warranted the expectation of better things from them. He would not pursue that part of the subject further than by expressing his regret, that gentlemen of their character should have so demeaned themselves. The most violent abuse and outrage that could be conceived followed. And what was the nature of the amendment proposed by his noble relation, and which occasioned all this tumult? It began with expressions of loyalty to the king, and love for the constitution, went on with a detail of the grievous calamities under which the people suffered, proceeded to recommend the dismissal of his majesty's present advisers, and concluded with a hope that her majesty would be restored to all her just rights. Was not that true loyalty? Were not those fit subjects to lay before a public meeting? Was it not a loyal prayer to implore his majesty to attend to the almost unanimous wishes of a free and loyal people? The Queen, whatever might have been her conduct, had stood her trial, and the people of England thought she ought to have the benefit of her acquittal. Like Elizabeth, her predecessor, who, although he must call her the vilest of women, was one of the greatest of queens, her majesty had always exhibited her courage and constancy in situations of danger; and he trusted she would continue to do so. Many were the attempts which had been made to poison the royal ear on this subject. It had been represented to his majesty, that he was on the brink of a precipice—that he stood on a volcano—that he reigned over a band of conspirators. What could be more dangerous—what more injurious to the country, than such mis-statements? The people were rebels, or they were not. If they were rebels, inflict the blow before the culprits suspected its approach. If they were not rebels, why load a brave and generous nation with gross and unfounded calumny? To go on, however, with the proceedings of the meeting. The amendment having been read, the high sheriff did not choose to put it. On being asked, if he would put to the meeting the relevancy of the amendment, he declined that also, taking on himself to judge of that relevancy. After a few other speeches, made amidst the greatest noise, the high sheriff put the question to the meeting on the original address. A number of persons certainly did hold up their hands in its favour; but many of those did so, conceiving that it was the amendment that was put; and the high sheriff, although there were many present who supported the amendment, refused to put the negative on the original motion, or to grant a division. He was not sufficiently acquainted with the individual who was the present high sheriff of the county of Cheshire, to know what were his political sentiments. He understood, however, that he was a captain in a new yeomanry corps of cavalry, raised by Mr. Cholmondeley, who, it was said, expected to be made a peer. He hoped, however, that the House would consider the importance of the question, and the danger of allowing a high sheriff to follow the dictates of his own inclination on such occasions. In our happy and legal constitution, every thing was strictly laid down and defined. Where discretion in a public officer began, law, and the liberty and safety of the people ended. The power of a high sheriff, though indefinite, was not indefinable. No law or privilege could give to a high sheriff, or to any other man in the kingdom, a right to infringe the rights of others. The Bill of Rights declared that it was the right of every Englishman to address and petition the king. That right had been materially obstructed in the present instance; and the people had in consequence been prevented from conveying their petition and sentiments to the royal ear. A great additional power had been placed in the hands of high sheriffs by the bills lately passed: He denied, however, that a high sheriff had a greater right to preside at a county meeting than any other individual. The very circumstance of his being called to the chair was a proof that he was not entitled to it as a matter of right. When he did sit there, however, he sat merely in a ministerial capacity. His duty was, not to act on his own opinion, but solely to collect the real opinion of the meeting. If such conduct as that of the high sheriff of Cheshire were tolerated, those who intended to make motions, or any remarks at a county meeting, would be obliged to send them over to the high sheriff for his approbation and signature. This was the more to be deprecated, because gentlemen knew there was such a thing as "a pocket sheriff;" but that was illegal. When a sheriff was appointed, it was always during the king's pleasure; and no sheriff retained his situation longer than until the appointment of a successor. It was true, that the usage was, to make a regular arrangement on the subject every year; but still the House would feel the importance of having the duties of a high sheriff distinctly defined. They all knew well that a corrupt government (he did not speak of the gentlemen opposite, but made the observation generally) always attempted to acquire a power proportioned to their deficiency of virtue. A corrupt sheriff and a corrupt ministry might co-exist; and then, unless the duties of a sheriff were distinctly defined, the right of the people at public meetings to complain of their grievances would be entirely cut off; because the sheriff would not put any proposition which had not previously received his signature; and because he would refuse to affix his signature to any proposition complaining of grievances, since that would be to impugn his friends. He sincerely thanked the House for the indulgence with which they had listened to him, and begged leave to bring up the petition.

Mr. *Egerton* said, that although he was present at the meeting, he was not sufficiently near the high sheriff to hear all the proceedings. He was sorry to observe, that those proceedings were not so quiet as it could have been wished they had been. At the same time, if any thing illegal had occurred, he thought the proper mode of redress would have been to appeal to the laws. He could answer for the independence of the present high sheriff of Cheshire, and that he would not be swayed in the discharge of his duty by any party feeling. That gentleman exerted himself as much as possible to keep order at the meeting, but in vain. With respect to the amendment which had been proposed by a noble earl, and to the consequent proceedings, he repeated, that he was not near enough to the chair to form an accurate opinion.

Mr. *Bright* declared, that of all the rights possessed by the people, the right of addressing the Crown and of petitioning parliament was the most valuable; and that while he had a seat in that House, he would never allow an attempt to be made to infringe that right without reprobation. Some years ago, certain bills had passed with reference to the subject of public meetings, which were considered by the majority of that House to be necessary for the tranquillity of the country. At that period he had not the honour of a seat in parliament, or he should have expressed his opinion in hostility to those bills—They had considerably limited the right of petitioning; for they left to the high sheriff, the lord lieutenant, or other constituted authorities, to call meetings of the people. He would not now ask if a high sheriff was bound to call a meeting, on a requisition to that effect being presented to him? He allowed that legally he might, perhaps, not be so. But this he would unequivocally say, that if the high sheriff did actually call a meeting, and such meeting were assembled, it was his bounden duty to discharge his office with fidelity and impartiality. The high sheriff was bound to collect the sentiments of the meeting over which he presided. Was it to be endured, that a sheriff should fraudulently dispossess the people of one of their most valuable constitutional rights, by calling them together, and then, when placed in the chair, refusing to ascertain their real sentiments? The hon. gentleman had recommended leaving the subject to law. To what law? When was that law to be administered? When the people had been deluded in so gross a manner, were they quietly to wait until the judges went the circuit? And even then there might be no law, or only a law applying constructively to the subject. The true remedy for the people was an application to that House. Here, then, had been a public meeting called —an individual had placed himself in a situation to guide the proceedings of that assembly—and instead of honestly discharging his duty, he had deprived the people of one of their most valuable rights. Was not that a topic for that House to discuss? Ought not the high sheriff to be called to their bar to account for his conduct? If there was any one privilege for which our ancestors had fought and bled, and which he trusted neither we nor our posterity would tamely surrender, greater and more valuable than any other, it was the right of the people to represent their grievances by petition. It was a right which ought to be most carefully watched, for it was the very life-blood of the country. He begged to apologise for having expressed himself so warmly; but the result of all his constitutional reading was, to impress him with the highest veneration for this most invaluable privilege of the people of England.

Mr. *Bootle Wilbraham*, while he allowed that it was the bounden duty of that House carefully to watch over the sacred right of petitioning, denied that the present was a case which called for its interference. What were the facts of the case? The high sheriff of Cheshire, in compliance with a requisition made to him, had called a meeting of the county, at which he himself presided, as he had a right to do; for he was surprised to hear the noble lord term the sheriff's being called to the chair a matter of courtesy; it being a notorious fact, that in all public meetings at which a sheriff was present, he invariably took the chair. The case at issue between the noble lord and himself, however, was simply this: if the high sheriff had acted harshly and with intentional partiality, then, undoubtedly, he was deserving of censure. But where was the proof of this? The noble lord had allowed that he did not know what were the political feelings of the present high sheriff of Cheshire, but appeared rather curiously to infer that he must be inclined to support the present administration from the fact that he was a captain in a corps of yeomanry. Would he say, that lord Fitzwilliam, or lord Spencer, or any other noblemen and gentlemen who held commissions in corps of a similar nature, must therefore be concluded favourable to the present administration? [Lord Belgrave observed, across the table, that it was a newly raised corps.] He was at a loss to understand what difference that made. He was not acquainted with the high sheriff; but he understood that he was a young man of independent character and fortune; and that he had never publicly committed himself on any political question. The noble lord and others thought that that gentleman's conduct had been incorrect. Although he (Mr. W.) was not present at the meeting, he had received an account of the proceedings from persons whom he had examined and cross-examined, and the result left no doubt on his mind, that the conduct of the high sheriff had been perfectly impartial. It was too much to impose on a high sheriff the responsibility of answering for the conduct of every person at a public meeting. The truth was, that at all public meetings there was occasional excess and riot. This sometimes took place among those who ought to know better. He had heard of a great public assembly of high character, some of the members of which, on its separation, degraded themselves by noise and hissing, and other symptoms of riot [cries of Hear, hear! from both sides of the House]. He was glad some hon. gentlemen seemed to take the hint, and he trusted they were by this time ashamed of their conduct. With respect to the question before the House, he could not consent to take any step upon it. All that the House knew was on one side; and he was persuaded they would not proceed on an *ex parte* statement.

Mr. *Creevey* said, the sheriff having been requested to call a meeting, and having complied with that request, and an amendment being proposed at the meeting by earl Grosvenor, the matter for consideration was, did he refuse to put that amendment, or did he put it in the negative? If he did, there certainly was no law to punish him, and the only course was to call him to the bar of the House—a proposition which, if the noble lord, or some other member, did not introduce, he would himself submit to the House. The hon. gentleman had alluded to a scene which took place in that House at the close of the last session. He had stated that hisses were resorted to on that occasion. Now, he was present, and could affirm that there were no hisses. With respect to other demonstrations of feeling, such as cries of "Hear! hear!" and "Shame! shame!" he was happy to be recorded as one of those who used them; because, never was there a scene so injurious to the dignity of the Crown, so disgraceful to the character of the administration that sanctioned it, or so insulting to the members of that House.

Mr. *Philips* observed, that from what he had heard of the conduct of the meeting, the high sheriff had acted with partiality, and the parties who were the cause of the uproar which prevented a noble earl from being heard, had acted in a manner extremely disgraceful to themselves. He hoped the House would vindicate its privileges, and order the high sheriff to attend at the bar.

Sir. *J. Newport* was of opinion that the House had a right to interfere in a case of this nature. If sheriffs were to be permitted to invest themselves with this authority over county meetings, and to refuse, on the ground of their own will and caprice, to put any reasonable proposition which might be offered to them by those who were duly qualified to attend, there would at once be an end to those privileges, the exercise of which was reserved to the people by the first principles of the constitution. It would be idle to talk of the right of petition, if such proceedings were permitted to pass without receiving the censure of the House.

Mr *Stuart Wortley*, although he did not think that the privileges of the House were endangered on this occasion, must fairly say, that he condemned the recent conduct of several high sheriffs. Those gentlemen could not do any thing more detrimental, or more contrary to constitutional principles, than to refuse to call a county meeting on a requisition properly signed, and when there were no circumstances which could induce them to consider such a meeting as likely to be attended by consequences dangerous to the public peace. He trusted that it would be a lesson to sheriffs, whatever might be their political opinions, not to endeavour to prevent the people from exercising one of their most valuable privileges.

Lord *Belgrave* explained, that the high sheriff had the command of a corps of Yeomanry embodied soon after the 16th of August, 1819. He merely mentioned this because, at the period to which he alluded, the same care was taken in making these appointments that was now taken among the professors of exclusive loyalty in keeping every thing for themselves. To the high sheriff of Chester he had imputed no motives, but merely related a plain fact. His conduct had led to a protest on the part of several gentlemen who were present.

Ordered to lie on the table, and to be printed.

DETENTION OF A BRITISH SUBJECT AT GHENT—PETITION OF W. M'DOUGALL.] Mr. *Denman* rose to present a petition, which he had received by that day's post, from a person who was perfectly unknown to him. The petitioner, whose name was W. M'Dougall, stated that he was detained a prisoner at Ghent, by the foreign authorities upon a charge of forging a letter of credit in the name of a bank in Scotland, and obtaining money thereon in France. The petitioner denied the charge, and stated that, by being detained a prisoner at Ghent, he was deprived of the means of proving his innocence. He thought the subject worth the attention of the authorities at home, and entitled to immediate inquiry.

Mr. *Goulburn* asked, whether the petitioner had applied to the British authorities abroad?

Mr. *Denman* stated, that applications had been ineffectually made to lord Clancarty and lord Castlereagh.

The petition was then read. It set forth, that the petitioner was a British subject, who had resided for some time on the continent—that he had resided for nearly twelve months in Paris, and had left that city with regular passports in last July to recruit his health at the Spa of Aix-la-Chapelle, from which place he repaired at a subsequent time to Brussels, where he had resided, become acquainted with several English persons, and had a running horse at the races. The petitioner further stated, that he was arrested at Ghent by the local authorities upon a charge transmitted by the police of Paris, of having raised money in that city upon a forged letter of credit of a bank in Scotland. He also stated that he had ineffectually sought redress through lord Clancarty, who informed the petitioner's wife, in reply to his application, that the local authorities detained him on the charge already mentioned. The petitioner, as a British subject, sought the interposition of his own government.

Mr. *Denman* said, he was quite aware that the full extent of the prayer of the petition could not be complied with. He thought, however, the case ought to be looked into.

Ordered to lie on the table, and to be printed.

Committee of Ways and Means.] The House having resolved itself into a Committee of Ways and Means,

The *Chancellor of the Exchequer* said, that he had only one alteration to propose. In the year 1816, several excise duties which had been granted during the war, were continued for a term of five years and, would expire in July, 1821; and his object was, to renew these duties for one year. The duty he proposed to continue thus from year to year was that on foreign spirits, which would have the effect of raising this branch of the annual revenue from 3,000,000*l.* to 4,000,000*l.* His reason for proposing this annual continuation of the duty on foreign spirits, was, that the subject being thus brought from time to time under the consideration of parliament, they would be able to perceive the result of the measures taken to prevent smuggling. It appeared, that the consumption of foreign spirits had increased during the last two years; and whatever gentlemen might know respecting the extent to which smuggling was carried on, they had this proof, that it had not increased during that time. Under these circumstances, he had no farther explanation to offer at present, except to propose that the House would allow 5,000,000*l.* voted on the aids of 1820, to be applied to the service of the year 1821, the effect of which was merely to allow the treasury to apply the produce of the taxes of one year either to the service of that or the succeeding year, as might appear most beneficial to the interests of the country. He concluded by moving a resolution for the continuation of the duty of 1*s.* per bushel on malt, imposed by an act of last session until the 5th July, 1821.

Mr. *Creevey* said, he had come down to the House with the intention of opposing any supply, had it been proposed by the right hon. gentleman. He had not opposed the Speaker's leaving the chair, because he did not suspect that any vote of public money was intended; but seeing now the drift of the right hon. gentleman's resolution, he should propose, as an amendment to it, that the chairman report progress, and ask leave to sit again. The House would recollect the grievances which had been stated last night from all quarters of the country, particularly from the great and formerly flourishing town of Birmingham. In the conversation which that petition had produced, opinions had been elicited which had never before been heard in that House. A most honourable and respectable country gentleman had proposed to deprive the fundholder of part of his rights, calling him "a devouring monster of consumption." Another hon. friend of his had hailed with joy this attack on the fundholder, and had expressed his anxiety to be at it. The chancellor of the exchequer might laugh at this, but what would Mr. Pitt have said, if he had heard such opinions respecting the propriety of setting one part of the community at war with another? Every gentleman who spoke last night on this subject had pressed on the House the necessity of retrenchment, but nothing in the way of relief was even hinted at by government—they heard no plan for the amelioration of distress—night after night they had before them the old story of committees of supply and ways and means; but they heard not one word about reform—not one word upon the necessity of retrenchment. Under such circumstances, he would not consent to grant a single farthing of the public money—he would divide the House upon every vote of supply, until he had some distinct pledge from those who took upon them to manage the affairs of the country, until some plan of practical reform should be submitted to that House. He would call upon the landholder and the fundholder to unite, to unite against monsters—the monsters were not the fundholders, the monsters were those who held places under the Crown, and sat in that House. They appeared in that House under various characters, as lay lords of the Admiralty, as puisne judges; but they showed that they were real pensioners, dependents on the bounty of the Crown; their presence in that House was useless, it was worse than useless, for there they were to vote on all occasions with the minister, never with the people. Let it not be supposed that he objected to the responsible ministers of the Crown sitting in that House; their presence was necessary, but it was a monstrous thing to see persons holding places at pleasure under the Crown, sitting and voting in that House; these formed a part of the pack which stood firm and united; it was found impossible to break in upon them. There were 72 persons in that House who held places to the amount of 120,000*l*. a year, yet forty members were sufficient to make a House to vote away the public money, or to invade the public liberties? Was such an abuse to be endured? Was it possible from such men to expect the introduction of any plan of economical reform? There was another body of men in that House who were called independent members: there were no greater enemies to the country than those independent members—their votes were with the ministers—their families lived upon the taxes—and did any one doubt it—could the right hon. gentleman deny it? The brothers, sons, and more distant relations of those members—would be found throughout the country, holding places in the customs, in the distribution of stamps, and in various other departments. The right hon. gentleman knew that repeated and daily applications were made to ministers from members of that House. He knew that the steps of the Treasury were daily beset by men calling for what they called their property. The fact was notorious—he knew such people, respectable persons, who very comfortably lived upon the taxes. These were the persons who effectually prevented any reform in that House. The 72 pensioners, and the "independent members," whose families were quartered upon the country, and lived upon the taxes, stood between the people and their rights. Those were the persons who composed the majorities against the people. He was not surprised at those majorities; indeed, far from it; he was only astonished that the friends of the country were able to make so good a fight as they had made in that House. These were the grievances; and the redress of those grievances ought to go before the grant of one shilling of the public money. He regretted that he did not see his right hon. friend, the member for Knaresborough (Mr. Tierney), in his place. He hoped that that right hon. gentleman would lend his authority to a bill to prevent placemen from sitting in that House, whose presence was not necessary for the public service. By the introduction of such a bill, his right hon. friend would do a great public service. An hon. gentleman (Mr. Hume) to whom the country was greatly indebted, had submitted, during the last session, a new system for the collection of taxes. He demonstrated, that of the monstrous sum of four millions which the bare collection of the taxes cost the country, a saving of at least one million might be effected. He also proposed to take some measure to secure the remainder from coming within the rapacious grasp of members of parliament. What he had said he believed to be as true as that he stood in that place; and then, he asked, were the people, ground down as they were to the utmost extremity of distress, to be treated without the slightest sympathy or consideration? He believed that a saving of at least four millions might be effected in the collection of the revenue and in the different offices of the state. Such a reduction would lead to the most gratifying consequences. The members of that House would be a different set of men. The most happy prospects of future retrenchment would present themselves; and above all, it would lead to a union with the people, and create the surest omen of public good. He would move, that the chairman report progress, and ask leave to sit again.

The *Chancellor of the Exchequer* had reason to hope, that in the estimates of this year there would be at least a reduction of 1,000,000*l.* compared with those of the former year. To endanger the deficiency of the revenue by a small reduction in the expense of collecting it, would be the worst policy that could be adopted; but he was warranted to say, that a saving, of 130,000*l.* a-year, had already been brought into effect in the collection of the revenue.

Colonel *Davies* said, he would not vote for any supplies until every possible economy had been resorted to, and till proper estimates were laid on the table. He now gave notice, that when the votes for the army should be proposed, he would not agree to them unless full estimates were previously laid before the House.

Mr. *Lockhart* thought that, in the present distressed state of the country, the House ought not to vote one shilling of the public money without the estimates. If it were true that the country was to receive no relief either from an alteration of the present system of the currency, or from a change in the distribution of the taxes, he would ask from what source relief could come, but from the most rigid economy on the part of ministers? He was one of those who could not see why one part of the community should be drained and exhausted merely in order to pay another part. This was a system which might go on for some time; but, far from enduring for ever, they would soon find that not only would the capital of the country be ruined, but her spirit be exhausted. He lamented to hear the wild language which had been thrown out last night, when an hon. member had declared, that the taxes paid to the fundholder were a mortgage on all the land, on the church establishment, and on all the property of the country; and that they were to pay to the last shilling, to show whether they were honest men or not. As if it was possible, in any society, that so strange an alteration could take place with common consent, that every one who was well-born, well-bred and educated, and who filled a station in the institutions of the country, should give up the whole of their property, in order to fulfil an engagement, which finally would be ruinous even to the fundholder. These things startled him, when they came from gentlemen who were so well versed in the theories of economics. It was manifest that these opinions, though logical deductions from certain premises, could not be applied to the actual concerns of empires. They had traces in history of a state of society similar to our own, when the Roman commonalty oppressed with usury, or with excessive taxation, withdrew to one of the mounts near the city, and had refused to continue to be the productive members of a society from which they reaped no benefit. He wished the people instead of busying themselves with projects which he would not then mention—instead of meditating the forms of constitution—swould endeavour to impress upon the government the absolute necessity of conforming their expenditure to circumstances, and not of attempting in vain to suit circumstances to their expenditure. If prices had fallen 20 or 30 per cent, the revenue should be lessened in a nearly similar proportion.

Mr. *Hume* thought that some misunderstanding existed as to the speeches which were delivered last night by two hon. friends of his. He would shortly state the reason why he should most certainly support his hon. friend in the call which he proposed to make for a division of the House. He had himself, in common with many other members, presented he knew not how many petitions to that House, praying for a reduction of some of the present taxes. With how little effect those petitions had been introduced, it was but too unnecessary for him to state. He had understood to-night, from the speech of the Chancellor of the Exchequer, that he meant to continue the tax on spirits only. If, however, he had since understood the hon. chairman rightly, the proposition appeared to be to continue the tax on malt also. The proceeding of the right hon. gentleman, therefore, he could hardly consider as fair. That tax upon malt was agreed to be imposed by the House, upon the faith that in twelve months after the cessation of the war the tax should cease. He did think, that with so many petitions for the reduction of taxation before them, they ought not to grant the continuation of a single tax, until ministers explicitly stated what it was they intended to do. The chancellor of the exchequer, when asked by him some evenings ago what reduction it was proposed to make, did not think it worth while to give him any answer. He should therefore persist in opposing the resolution, seeing it was quite clear, that when the right hon. gentleman had got his business done, it was in vain to complain, for there was no redress. By the report of the committee of finance of 1817 (which report was drawn up, as he believed, by the right hon. gentleman himself) the expenditure of the country, in the year last past, it is said, would be reduced to 17,000,000*l.*, that sum including the total charge of the army, the navy, and a variety of miscellaneous expenses. In that report, the right hon. gentleman took great credit to himself for being enabled to make such a statement; and the House was called upon to grant the required supplies, because the expenses of the country were thus reduced by the sum of 1,000,000*l.* less than those of the preceding year. Instead, however, of all this what had followed? Why, that the expenses of the last year, notwithstanding this pledge, were 19,000,000*l.* This circumstance ought to satisfy the committee that they ought not to grant one single shilling of additional taxes. The House would recollect, that upon the 12th of July, 1819, he did submit a proposition for an address to his majesty, praying that he would be pleased to give directions that successors should not be appointed to certain offices which might become vacant, till it had been ascertained what reductions it was possible to effect in every department of government, and in the salaries and emoluments of such offices.—The hon. gentleman then complained of the increase in the salaries annexed to certain offices under the government. He did not mean to include in this class his majesty's ministers, whose salaries had certainly received no augmentation throughout the continuance of the war. But let the House look to the army, and observe what an enormous staff was maintained; what extravagant charges were incurred; and particularly what was the enormous charge of the Ordnance, which had alone increased by three times the sum at which it was estimated, at a time when the prices of corn and provisions were nearly the same they were now. As to the collection of the revenue, that was one of the vilest jobs that ever existed. In Ireland and Scotland it was, if possible, a job still worse than in England. In a few days, he should have an opportunity of showing to the House the gross neglect and profusion which existed in the stamp department in Scotland. The stamp department, among other things, had continued several persons in office, although they had been returned "incapable," merely in order to maintain the extensive influence of government patronage. Such was the expensive system kept up by that government, who proceeded in the same career of extravagance year after year, that even if he should divide alone with his hon. friend, he should think it his duty to go to a division. He lamented that the hon. gentlemen opposite should persist in desiring to continue a war-tax upon a people over-taxed already. The only way to oppose them in this case was, for the House to support his hon. friend. Give the ministers money, and they would never reduce one item of expense. If the House had thought proper to continue the income tax until the present moment, they would have had the expenditure equal to the amount notwithstanding. The only way to procure some attention to the objects of economy was, to deny ministers the means of a lavish expenditure. The act which made this a war-tax provided that it should endure for a short time only after the war; yet we were in the sixth year of peace. In conclusion, he was determined not to aid, in any manner, the granting of one shilling to ministers, till they came forward with offers of economy and reduction.

Mr. *R. Ward* begged to observe, that in the Ordnance department, the salaries and allowances of all the higher offices had been reduced. His own, for instance, had been reduced to about 600*l.* per annum. Others had been reduced from 200*l.* to 150*l.* each. The only additions that had been made to the charge of the department, were allowances for the long services of individuals.

Mr. *Hume* said, that the storekeeper at Dover, whose salary during the war was 100*l.* a-year, had lately retired upon an allowance of 500*l.* a-year.

Mr. *Ward* said, that no such thing had occurred. The storekeeper at Dover had not 500*l.* a-year, and had not retired at all.

Mr. *Huskisson* said, that the proposition before them was simply this—to grant the annual malt-tax for one year in the same way as it ever had been granted since the reign of queen Anne. As a supply was granted, to withhold the ways and means could only tend to plunge the government into confusion. He thought it highly proper to inquire at the proper time into the causes of the distress which he acknowledged existed in some degree, though he thought it had been exaggerated.

Sir *J. Newport* was glad to hear from the right hon. gentleman opposite that the distress complained of was exaggerated. He hoped the right hon. gentleman would take an opportunity of stating what were the districts which enjoyed prosperity. With respect to the estimates, he was willing to allow that in time of war, they could not be got ready by the opening of parliament. But now that we were at peace, he saw no reasonable objection to pursuing such a course. They ought to be taken into consideration before the session, if ministers had any view to retrenchment, without being driven to it by parliament. He strongly objected to the manner in which the business of the House was transacted. It was not uncommon to see forty or fifty bills go through the different stages at the end of a session, when there were scarcely any members present. The consequence was, that the bills passed in so defective a state that they were obliged to be corrected in the next session. He recollected a bill having passed both Houses to impose a duty upon madder; in which it was afterwards discovered that the word "madder" had been entirely left out. An hon. friend near him reminded him of another case, in which a bill had passed confirming the sentence of a man who was to be imprisoned for six months.—"The half of which," it stated, "was to go to the King." The other branch of the legislature had complained that bills were sent up to them so late, that, as they had not time to examine them, they refused to pass them at all. Such facts as these must tend to disgrace the House in the eyes of the country. He hoped this subject would be taken into consideration without reference to the party from whence it came, as he disclaimed all feeling of hostility in pressing it upon the attention of gentlemen opposite.

Mr. *D. Browne* admitted the existence of distress in this country, but observed, that in Ireland the case was infinitely worse; for there the agriculturists were reduced to the lowest state of depression; and as to manufacturers, there was now left scarcely any thing which deserved the name, except one or two branches, and they also were under the greatest embarrassments.

Mr. *Gladstone* conceived that a great portion of the distress which was felt by the agriculturists arose from the excess of production above the consumption—that consumption being owing, in a great degree, to the reduction of the wages of labour. The farmer was obliged to be a seller for what he could get, and was thus in some sort at the mercy of the consumer. He deprecated the idea going forth to the public, that the House possessed the means of applying an effectual remedy for the distresses which had been alluded to in the petition which had been presented to the House last night. The remedy must only be looked for in the gradual increase of the prosperity of the country. The accounts of a brisk demand for goods in Manchester proved that the assertion of the distresses of Birmingham being local, was not altogether incorrect. The manufacturers of Manchester raised the price of their goods in proportion to the demand; if, for instance, 100 pieces of goods were ordered, which were sold at 10*s.* a piece, an order for 500 would cause them to be raised to 10*s.* 6*d.*' and and 1,000 to 11*s.* He had received a letter from Liverpool lately, which stated, that the manufacturers there were becoming saucy, and were advancing in their prices in proportion to the demand. He then remarked upon the state of the iron trade, which was depressed on account of the loss of the demand for arms which the war had created. He said, that in this trade, as in others, an extraordinary demand had created an excess of production, which was now the cause of the depression. About twenty years ago this country imported a great part of the iron which it consumed from Sweden and Russia, but now it could supply not only what it consumed itself, but export a great deal to foreign markets. There could be no relief, therefore, till some check was given to that excess of production which the great demand had created, but which demand had now ceased, while the production continued. It had been stated, that the friends of many members of parliament lived upon the taxes, and it was particularly mentioned that this was the case in Liverpool; he denied the fact. But he could see no impropriety in the relatives of members being appointed to situations of trust. It was very natural, as such places were to be filled up, that ministers should attend to the recommendations of those in whom they placed confidence. For his own part, he could say that his support to the present ministers arose from his conviction, that the system by which they had guided the counsels of his majesty was the best and safest for the country.

Mr. *Western* objected to the resolution, as he was determined not to vote away any more of the public money until the agricultural distress had been fully taken into consideration. He wished to ask, whether the proposed grant was for the old annual malt tax, or whether it was a revival of the new tax. If the latter he should oppose it.

Mr. *Huskisson* replied, that it was the same old tax of 1*s.* per bushel, which always accompanied the land tax.

Mr. *Creevey* said, he should not divide the House upon the malt tax, but upon the resolution which proposed to continue some excise duties.

Sir *W. De Crespigny* said, that a most iniquitous system of regulating and collecting the taxes prevailed. He should, in a short time, submit a motion to the House, on the subject. He would prove, that there were gross defalcations, and that many of the defaulters were still in the employment of government. Without a complete change of the system, it would be impossible to make the revenue equal to the expenditure.

Sir *F. Blake* wished to make a few observations on the subject of the committee of supply, of which he had been a member. It had been stated to have been a farce, upon no better grounds than that few members had been in attendance. The fact he admitted, and lamented as much as the honourable member for Appleby (Mr. Creevey) himself, but it did not follow that public duty was therefore neglected, or mismanaged. There had remained members of as great integrity and independence, as any members of that House. If the proceedings of the committee had, therefore, been a farce, they had been made so by the hon. member himself (Mr. Creevey), who had divided the committee five times without any prospect of success.

The resolution was agreed to. On the resolution for the renewal of the sugar duties being put, the House divided: Ayes, 81; Noes, 48.

List of the Minority.

Allen, J. H.
Althorp, viscount
Barham, J. F. jun.
Barrett, S. M.
Bernal, Ralph
Bright, Henry
Caulfield, hon. H.
Chaloner, Robert
Crespigny, sir W. de
Davies, T. H.
Denison, William
Duncannon, viscount
Dundas, Hon. T.
Ebrington, viscount
Ellice, Edward
Farrand, Robert
Fergusson, sir R. C.
Fitzgerald, Hon. M.
Glenorchy, viscount
Gordon, Robert
Guise, sir Wm.
Haldimand, W.
Hamilton, lord A.
Harbord, hon. E.
Hobhouse, J. C.
Honywood, W. P.
Hume, Joseph
Jervoise, G. P.
Lloyd, J. M.
Lockhart, J. J.
Martin, John
Maxwell, John
Monck, T. B.
Moore, Peter
Newman, R. W.
Nugent, lord
Palmer, C. F.
Parnell, sir Henry
Ramsden, J. C.
Ricardo, David
Rice, T. S.
Robarts, George
Smith, hon. R.
Sykes, Daniel
Western, C. C.
Whitbread, Sam. C.
Wood, alderman
Wyvill, M.

TELLER.

Creevey T.

BOARD OF CONTROL.] Mr. *Hume* rose to submit to the House the motion of which he had given notice, and of which the object was, to ascertain whether the president of the board of Control, had vacated his seat. He had no doubt, from the examination which he had made, that, if the appointment of the right hon. gentleman corresponded with the time of taking his seat, he was free from the penalty. But that could not be known to the House without the warrant of the right hon. gentleman's appointment. When any motion for reform was made from his side of the House, there was an outcry by the other side against innovation. Yet, by the other side of the House, were the most dangerous innovations made on the constitution. Not one of the four right hon. gentlemen, whom he saw opposite, could hold a seat in that House by the act of queen Anne, or could vote away public money, as they had done in the division which had just taken place. The great objection to Mr. Fox's bill had been, that it gave patronage to the Crown, and occasioned expenses to the India company. When the board of Control was originally constituted, Mr. Pitt gave a distinct pledge to the country that the commissioners should perform the duties without pay or salary, and that they should have no patronage from the East India company. From the year 1784 to 1793, the commissioners had no salaries, and consequently they did not vacate their seats in parliament; but the 33rd of the late king, which gave an allowance of 5,000*l.* a year to the commissioners, contained a clause that those officers who should receive a salary should vacate their seats in parliament. Accordingly, from 1793 down to the present time, every president of the board of Control had vacated his seat as a matter of course. If, as the right hon. gentleman opposite had stated, he received no salary, he still came within the spirit of the act, for there were large emoluments attached to the office in the way of patronage. There were 500 regular appointments in the gift of the president of the board of Control; and it appeared, that in the last year he had received the appointment of 26 cadets, 2 writers, and 4 assistant surgeons, the value of which patronage amounted to about 12,000*l.* Now the House was aware of the value of a writership; for it must be in their recollection, that a noble lord, not now in his place, had been convicted of carrying on a traffic, in which a writership was to be the bribe for a seat in that House. A writership was, therefore, equivalent to a seat in parliament; and every body knew what the price of a seat in parliament was. It appeared, then, that the president of the board of Control received patronage in writerships, which was equivalent to the price of two seats in that House. The board of Control, though it had never met as a board, had cost the East India company not less than 800,000*l.* He trusted, that as they had now a patriotic president, who would do the duty without a salary; and as the other commissioners were of no use, the company would shortly be wholly relieved from the burthen of this board. He begged leave to move, for "Copies of Letters Patent, or Commissions, appointing the commissioners of the board of Control, and of which the right hon. George Canning was president, and of which the right hon. Charles Bathurst is president."

Mr. *Bathurst* did not rise to object to the motion, but to observe, in the first place, that it would have been more consistent with parliamentary practice, if the hon. gentleman had waited till the documents were laid on the table, before he commenced his general remarks upon the character and functions of the board of Control. The hon. gentleman quarrelled, first, with the particular appointment in question, then with the construction put upon the act of Anne, and, lastly, with that by which the board of Control was established. Now, the last act expressly said, that there was to be no forfeiture of a seat in parliament, unless the individual appointed should receive the salary, or part of it. The only question now was, whether his seat had been vacated by his acceptance of the office without any salary annexed to it. It would, he thought, appear, on an examination of the returns, that he fell under the same description as the rest of the commissioners of the board to whom no salary was assigned, and to whom it was deemed that the spirit of the act of Anne, which referred only to offices of profit, did not apply. It had been urged, that patronage was power; but, without admitting this proposition, he must deny that any patronage necessarily or directly attached to the president of the board of Control. What was, in fact, enjoyed by him, was received as a compliment from the court of directors. If it was wrong to receive it, that ought to be declared; but this had no bearing on the present question. With regard to the duties of the two other commissioners receiving salaries, he could only say, from his own observation, since he had held the office of president, that their appointments, so far from being merely nominal or honorary, required very considerable labour. As to himself, he held an office previously, the emoluments of which he regarded as a sufficient remuneration for the discharge of his new duties.

Mr. *Creevey* said, he did not mean to insinuate that the patronage enjoyed was turned into money, but it was presented by the directors upon an understanding, and was, of course, used in the ordinary way. It should be remembered, also, that cadetships and writerships were provisions for life, and of more value than a few thousand pounds which the president might himself receive. He was inclined to think, upon a fair construction of the different acts, that the office must be considered as one of profit and emolument.

Mr. *W. Smith* acquitted the right hon. gentleman of all suspicion that he received any salary for the office. But the question to be considered was, whether the gift of that office did not increase the power of the Crown? No one could suppose that the right hon. gentleman would support administration any more than he had done before; but the question was upon the principle, and without any personal reference to the right hon. gentleman. The price of a writership was about 3,000*l.*; and could any one suppose that the gift of an office, with the disposal of a certain number of writerships was not a gift of profit? Could it be supposed that the influence in question would be exerted for any other purpose than that of strengthening the government? He hoped the House would not be satisfied with a denial that the office was a place of profit, merely because it was not attended with a direct salary.

Mr. *M. Fitzgerald* contended, that the right hon. gentleman's appointment was an evident violation of the act of parliament. All his predecessors had vacated their seats on receiving it; and he could see no security against the object of the act being defeated, if so important an office as the one in question could be held without vacating a seat during the session of parliament, on pretence that no salary was received during that period. Such a precedent might be extended to other offices, and the salaries taken whenever parliament was not sitting. But without reference to this possibility, the appointment in question was a constant source of influence. Many would be very glad to exchange the lucrative advantages of office for the enjoyment of extensive patronage. For his own part, he had no doubt he should materially increase his influence among his constituents, by distributing among them now and then a few writerships and cadetships, and he would do the right hon. gentleman the justice to believe that he would prefer the acquisition of influence to that of money. He should be sorry to accuse him of disingenuousness, when he said that no patronage was attached to his office, because it belonged, in the first instance, to another body, with whom the Board of Control maintained a civil understanding. The president of that board, he understood, had always in effect a greater portion of patronage than was annexed to any other office in the gift of the Crown. When lord Melville, a distinguished Scotchman, was at the head of the board, aspiring young Scotchmen were to be found in every corner of India. Under one of his successors, Ireland had sent forth her sons to the same quarter; and now he presumed the right hon. gentleman meant to give England her due share. At all events, he trusted that the example of saving the salary would be carefully followed in future.

Lord *Althorp* understood the act of Anne to have been passed, not so much for the purpose of depriving the Crown of any influence which it might derive from the offices which it held in its gift, as for the purpose of affording the constituents of any member who might accept office an opportunity of deciding whether they would re-elect him.

Mr. *T. Courtenay* explained the routine of the business attached to the board to which the hon. member is secretary. There was no salary attached to the office; and as to the argument respecting patronage, he should not condescend to reply to it. There could certainly be no doubt that the patronage of the Crown created obligation; but the same argument would apply to ribbands and all other honours which emanated from the King. In short, if the argument could hold, there would be no point to which it might not be carried.

Mr. *Denman* wished to know, if the right hon. gentleman did not receive the salary usually attached to his office, what became of it? It was rumoured, that the right hon. gentleman received no part of it himself, but reserved it for another right hon. gentleman who had lately held the office, and who was now absent from the country [Cries of "No, no"]. If that were the case, was it distributed amongst the other commissioners? Or was it saved to the public?

Lord *Binning* would not have troubled the House on this question, had it not been for the allusion just made to his right hon. friend, the late president of the Board of Control. Where, in the name of God, had the hon. gentleman heard of this rumour? Why had he mentioned it? Was the character of public men to be thus loosely sported with? His right hon. friend would be the last man in the world to receive the emoluments of an office, the duties of which he did not perform.

Mr. *Denman* stated, that he had made no insinuation. He had only alluded to that which was generally reported, and which had appeared in the newspapers.

Mr. *S. Bourne* said, he could not envy the feelings of the learned gentleman who could impute to his right hon. friend, in his absence, a participation in so corrupt an arrangement. Where was his authority? Who had dared to state it? He had never, during the whole course of his political life, heard such an insinuation come from any political malignant.

Mr. *Denman* said, he had made no insinuation against the character of the right hon. gentleman, but had put what he conceived to be a fair question. Political malignity to that right hon. gentleman's predecessor he felt none. The soreness which the two hon. members had exhibited was no very great compliment to their right hon. friend.

Mr. *Astell* did not see any thing reprehensible in the manner in which the question had been put. He bore his testimony, as an East India director to the efficient and cordial manner in which the late president of the Board of Control had exercised the duties of his office. He had heard, with great satisfaction, that the company would be benefitted to the amount of the salary by the present appointment.

Colonel *Davies* wished to know what was to be done with this salary.

Mr. *Bathurst* said, that it would be a saving out of the sum granted by the East India company.

The motion was agreed to.

HOUSE OF COMMONS.

Monday, February 12.

MACHINERY—PETITION OF ROPE-MAKERS.]—Sir *R. Wilson* rose to present a petition from the Journeyman Rope Makers of the metropolis, signed by 700 individuals. The petitioners stated the deep distress into which they were plunged in consequence of the application of machinery to certain branches of their profession. By the introduction of machinery into the trade, two-thirds of the workmen formerly employed were prevented from earning a livelihood. The machine of which they complained was called "The Devil," which, with the assistance of six or seven men, performed the same quantity of work, which previously occupied ninety-seven. The petitioners stated that the work so done, was extremely imperfect, and would of course injure the character of that manufacture in foreign countries. In conclusion, the petitioners expressed a wish to place this "devil" in more immediate connexion with the chancellor of the exchequer—to whom they recommended the propriety of laying a tax on it. The question for the consideration of the House was, whether the present system of extreme taxation could be continued? whether a competition in trade and commerce could be hoped for, when the burdens of this kingdom were so great, while other countries were in a state of growing prosperity? If some efficient measures were not taken, the time must come when they would behold the greatest of all possible calamities, not only a suffering, but an idle people.

Mr. *Curwen* observed, that on a former occasion, when a petition was presented remonstrating against the undue use of machinery, and praying for a restraint upon it, a long discussion had taken place, in the course of which, it appeared to be the unanimous opinion of all the most intelligent members of the House, that the discouragement of machinery would be highly injurious to the country; an opinion in which he believed the petitioners themselves afterwards concurred.

Ordered to lie on the table.

PETITIONS RELATIVE TO THE QUEEN.] Mr. Serjeant *Onslow* rose to present a petition from the inhabitants of Guilford, setting forth the deep alarm they felt at what they conceived to be a great infraction of the law of the land, namely, the erasure of the Queen's name from the Liturgy, which they viewed as likely to lead to other infractions. They called on the House, therefore, to interpose; and also, to take into consideration, the present distressed state of the country, and the necessity of effecting a reform of parliament. The striking of the Queen's name from the Liturgy was one of the most important circumstances that had occurred for years. After hearing all the arguments that had been adduced respecting it, he felt more and more confirmed in the opinion that it was an illegal act. Much reliance had been placed on the case of the queen of George 1st, but that case was not at all in point, as there had been a dissolution of the marriage in the Consistorial court. At that time also, there were two very strong factions in the country, one in favour of the house of Hanover, the other in favour of the house of Stuart, and history plainly showed how powerful the influence of the latter was. In such a state of things, care was of course taken, not to do any act that seemed likely to increase that influence. Besides, the wife of George 1st, never was recognised as possessing any of the rights of the queen of

Great Britain, while her present majesty was admitted to be Queen-consort, and was so spoken of. Now, if her right to have her name inserted in the Liturgy was denied, what was there to prevent the abstraction of her other rights? He called the attention of the House to the Act of Uniformity, as being decisive on the subject. What did that act say? It provided "that in all those prayers, litanies, and collects, which do in any way relate to the king, queen, or royal progeny, the names be altered, and changed from time to time, and fitted to the present occasion, according to the direction of lawful authority." On these grounds he conceived the omission to be illegal. With respect to parliamentary reform, he thought that a wholesome reform was necessary.

Mr. *Butterworth* presented a petition from Dover, praying that her majesty's name might be restored to the Liturgy, that a reform of parliament might be effected, and that the House would turn its attention to the business of the country. He begged leave to correct a gross misrepresentation of a few words which he had used in that House a short time since. An hon. member for Yorkshire had stated, on the night to which he alluded, that many individuals had been actuated by party views in supporting the motion of a noble lord. On that occasion, he (Mr. B.) felt himself called on to state his motive for giving the vote he had done on the noble lord's motion; but, in doing so, he did not say one word respecting the restoration of her majesty's name to the Liturgy, although he had been represented as giving a very strong opinion on that subject.

Mr. *Littleton*, as the hon. member had entered into some explanation of his own opinions, in consequence of a misapprehension which existed with respect to them, hoped he might also be permitted to explain a very general misrepresentation as to what had fallen from him on the night on which the petition from Birmingham was presented. What he had suggested on that occasion was, whether it might not be possible, with reference to the relief of the agriculturists and the poor manufacturer, to substitute for some of the existing taxes a tax on land and on the holders of the national debt, which should have the shape of a modified property tax? The proposition of the hon. member for Cumberland, to reduce the interest of the debt, was a distinct proposition, in which he utterly disclaimed all participation or partnership. Without, of course, meaning to impute to the hon. member any intention of an unjust nature, he must say, that he thought the proposition to reduce the interests of the national debt highly dishonourable, and subversive of all those principles by which a great nation ought to be guided in the maintenance of its public faith.

Mr. *Curwen* said, that what he had stated on the occasion alluded to, resolved itself into two points. He had stated, that he conceived funded property to be equally liable, in reason, law, and principle, as any other species of property, to be applied to the exigencies of the state. He knew of no distinction of property that should exempt that of the fundholder; and if that House had thought proper to call on him to support the expenses of war, he did not think it was at all unfair to call on him to contribute towards the expenses of peace. The Bank Restriction act had raised the value of funded property, and depressed that of land at least 25 per cent. An hon. member had, some time since, observed, that the land ought not to be let at such high rents. If the hon. member had examined the subject, he would have found that the rents had been very much lowered. He thought it was nothing more than just that the funded proprietor should fare as other bodies did, and that they should share in that depreciation which every other species of property had suffered.

Sir *C. Burrell* said, he would be one of the last men in the world to propose any thing that might appear to be a breach of the public credit. At the same time, he thought a remedy might be devised for the existing evil without any such breach. An intelligent individual had suggested to him that a considerable sum might be raised by imposing a tax, perhaps to the value of a shilling per cent, on the transfer of stock. It would assist in discouraging speculation, would afford some relief from the pressure of existing taxation, and would do no injury to public credit.

Mr. *Grenfell* did hope his hon. friend, the member for Cumberland, had risen to explain some misapprehension of his meaning on a former night. To reduce the interest of the national debt would be a direct breach of public faith. For himself, he had never despaired of the national resources. He believed that the country was in possession of resources, which, if properly managed, would carry us through all our difficulties. The greatest evil that could befal the state, would be, to violate its faith to the public creditor. There were two courses, however, which he considered it indispensable to pursue; the one was to restore public tranquillity; and he knew of no mode of doing that, but by the reinsertion of her majesty's name in the Liturgy: the other, to resort to every description of rigid retrenchment.

Ordered to lie on the table.

GRAMPOUND DISFRANCHISEMENT BILL.] Lord *John Russell*, in rising to move the order of the day for the House resolving itself into a committee upon this bill, said, he had little more to do than to repeat the sentiments he had expressed when this question was last under the consideration of the House. Upon the necessity of passing this bill of disfranchisement in the particular case of Grampound, he thought there could be no doubt.—The only question, then, for consideration was, to what place the transfer of the elective franchise should be made. For his part, he gave a decided preference to Leeds; he thought the elective franchise could not be better disposed of than by transferring it to a large town of that description. By that means the House would at once punish the corruption which prevailed at Grampound, and let into the representation of the country a large class of respectable householders who were at present without the enjoyment of the elective franchise. It was a fact which, on such an occasion as this, required great attention, that out of twelve of the largest towns in England, five were totally without representation in that House. The county of York contained, he believed, 6,000 square miles, and one million of inhabitants, and was represented by only 30 members, while the county of Cornwall, which was in every respect inferior, had 44 members in that House. With respect to a proposition already talked of, to move an instruction to the committee that the transfer of the elective franchise from Grampound should be to the hundreds of Pyder and Powder, that proposition he should oppose altogether. It was agreed that Grampound ought to be disfranchised. That point being conceded, was the House to overlook all the great unrepresented bodies of the country who were most in need of that which this transfer would confer, and fix upon a part comparatively of less importance in the national scale? He was decidedly of opinion that Leeds was the more proper place to fix upon. As to the general question of parliamentary reform, he should reserve himself until a future opportunity; but he could not avoid stating, that the necessity which existed for promoting some reform became every day more apparent; and he trusted that, so far as this bill was involved in the principle of the general question, the House would see the necessity of adopting it as a safe, salutary, and practical measure.

Mr. *Grenfell* said, he was anxious to state that he concurred in all the opinions which had been expressed respecting this bill by his noble friend, and he was the more anxious not to give a silent vote, because he had on all previous occasions resisted all general, undefined, and, as they appeared to him, visionary plans of what were called parliamentary reform. The reason he approved of the present bill was, that it applied a proper punishment to an acknowledged abuse. Any plan of safe and practical reform, directed as this measure had been, and limited to a proper object, should at all times have his hearty concurrence.

Mr. *Martin*, of Galway, objected altogether to the principle of this bill, and declared his determination to resist it in every stage. It set out with reciting what was an untruth, namely, the prevalence of bribery and corruption at the last general election for Grampound. Now it was known that the two or three last elections which had intervened since the acts of bribery were committed, were conducted in an unexceptionable manner. Whatever, therefore, might have been the former transgressions of any of the electors of Grampound, they had been since amply redeemed by their subsequent conduct. He was hostile to every species of reform, in the manner in which it was called for by certain persons. In the particular instance of Grampound, before they tried this summary punishment, they should apply the remedy provided by the existing law, and administer the bribery oath. He could not consent to a disfranchisement for ever of the descendants of the present voters, merely because some of the latter had, at a former period, misconducted themselves. As well might they take away the charter of the bank of England, or of the East India company, as deprive Grampound of its right.

Mr. Serjeant *Onslow* contended, that the improvement in the purity of election, as evinced in the two late elections for Grampound, was to be attributed to the fact of this bill having been hanging over the heads of the electors. The bribery of Grampound was so notorious, that he would, without hesitation, consent to the disfranchisement of that borough. He approved of transfering the right of voting to Leeds, in preference to the adjoining hundreds of Pyder and Powder, which were already fully represented.

Mr. *Wilson* approved of the bill, because it went to remedy a practical evil. As to the comparison between Grampound and the Bank of England, he contended, that if a blot appeared on the charter of the Bank, it should not be held sacred, after the powers intrusted to it had been abused. He thought the only way in which parliamentary reform could safely take place was, that wherever an evil was proved to exist, a suitable remedy should be applied.

Mr. *Lockhart* contended, that it had been proved that the king's writ for the return of members for the borough of Grampound had been regularly construed into a writ of *venditioni exponas.* He did not object to the disfranchisement of that borough, but he did not wish that the important principle of extending the elective franchise to the payers of scot and lot should be mixed up with the present bill. He was not prepared to say to what place the transfer should be made. Of the particular hundreds he knew nothing, and therefore could not tell whether by making the transfer to them, he should be virtually handing it over to the influence of a peer, or of a few individuals; so that, instead of effecting a reform, he might be perpetuating an abuse. He felt that the representation of this country stood upon too narrow a basis to shield the people, or support the just rights and dignity of the Crown; and he should support any plan which had a tendency to give greater effect to individual property. If the principle of scot and lot were extended, he thought the effect would be injurious to the mixed monarchical form of the British government. The latter would be unable to resist the inveterate pressure of the former. The disfranchisement of Grampound was a distinct question—it was a necessary measure, and an act of political justice.

Sir. *J. Newport* thought it singular that the hon. member who spoke last should not hesitate to pronounce for a disfranchisement which went at once to blot out two members from the representation, and should hesitate to admit a principle comparatively of minor importance, namely, the settlement of the mode in which their places should be supplied. All arrangements upon that point he thought would come better in the committee than in the present stage of the bill. With reference to what had fallen from the hon. member for Galway, it was of course quite consistent in him, who resisted *in limine* every approach to parliamentary reform, to oppose this bill in every stage. But he thought his remedy of the bribery oath very extraordinary; for, if acted upon, it could only have the effect of adding perjury to the other crimes of the electors. If the House refused to adopt this bill, he thought they would inflict a greater injury upon their own character, in the eyes of the people, than could be effected by any other means.

Mr. *Beaumont* said, that he was not sanguine enough to expect this bill would satisfy the advocates of reform in general; but as he thought it would do a great deal of good, he should give it his support. He differed in one respect from the general advocates of parliamentary reform, for he thought that public opinion had a greater influence upon their deliberations than was by many ascribed to it. Instead of Leeds, he should be for extending the right of voting to the West Riding of Yorkshire.

Mr. *Davies Gilbert* said, that upon the general question of parliamentary reform he had so often declared his sentiments, that it was unnecessary for him now to repeat them. Suffice it to say, that he entirely concurred upon that question in the sentiments of the right hon. member for Liverpool (Mr. Canning), whose absence he forcibly lamented, and who had so ably and unanswerably reviewed the subject of Reform in his eloquent speech to his constituents. The practice of the representation in this country had solved a problem which had never before been explained, which was, the existence and co-action of a powerful democratic body with a monarchical form of government. Ancient times furnished no parallel to the long existence and mutual well-being of such contrasted powers. The reason why they had been so happily blended in this country was capable of very clear explanation. The noble lord (J. Russell) in his able speech last session upon this subject, had eloquently said that these different bodies were kept together by a spell, like that in the magical lamp of Aladdin. He would define that spell. It was the tempered action of the aristocracy with the monarchical and democratic bodies in that House. This fine and well-tempered equipoise would be overturned, if they added to the scot and lot right of voting in the country. Popular opinion had been well described to have had its due operation in that House. Indeed, he thought they were rather more disposed than otherwise to adopt the temporary opinions of the people out of doors. On the subject of the present bill, he should only say that he could not concur in the propriety of the transfer of the elective franchise to Leeds from Grampound. The hon. gentleman concluded by moving, " That it be an instruction to the Committee, that they have power to make provision in the bill to extend the right of voting for burgesses to serve in parliament for the Borough of Grampound to Freeholders of certain Hundreds, exclusive of all towns corporate and franchises within their jurisdictions, situate within the said Hundreds, and for limiting the right of voting within the Borough of Grampound."

Mr. *Philips* said, that the honourable gentleman seemed afraid that the country should have a more free and perfect system of representation; now, he differed so much with the hon. gentleman, that he lamented that the people of England did not enjoy a fair system of representation—that the feelings of the country were not fairly represented in that House —that (in the language of Mr. Burke) it did not possess " the spirit or essence of a British House of Commons." The hon. member had acknowledged the gross corruption of Grampound, and admitted that the franchise should be taken from them. But to whom did he propose it should be given—to another part of the country which was uncorrupted by the example of Grampound? No! but to the very hundreds in which that scene of iniquity had been acted. A right hon. gentleman who had been referred to, and whose sentiments the hon. member adopted as his own, had stated, that it was with him no argument for admission to the exercise of the elective franchise, that a district had increased in wealth, commerce, and population. Now, wealth, commerce, and population were generally indicative of the intelligence of a district. He could not conceive, if wealth, commerce, and population were to be no rules for giving the elective franchise, on what principle a national representation could be constructed. The want of representatives at this time for the manufacturing districts was a great practical evil. Every one must have witnessed the increase, especially in the manufacturing districts, of intelligence and activity of mind within the last twenty years; that activity and that intelligence, if not admitted to its participation in the constitution, became hostile to it. The hon. member had told them of the population of Cornwall, and of the hundreds of Pyder and Powder, but he should have told them also of the population of other districts. Cornwall sent forty-four members to parliament, or an 11th part of all the representation of the kingdom; the population of Cornwall was only 1-50th of England. The population of Lancashire, which was about 1-11th of the population of England, had only a 35th share in the representation; and Yorkshire, which had 1-10th of the population of the kingdom, had only about 1-17th of the representation. Cornwall, it would be seen, had one member for about every 5,000 inhabitants; Lancashire only one for 60,000. There was no reason for this undue preference. In 1815, according to the property-tax returns, the real property of Cornwall amounted only to 1-54th part of the kingdom; the real property of Lancashire 1-16th; and that of Yorkshire to 1-10th or 1-11th. If the hon. member approved of the present plan of representation, he must not only wish that the elective franchise should be given, not in proportion to wealth, commerce, and population, but in an inverse ratio to them. The manufacturing districts certainly felt the want of representatives more than any other; and there were obvious reasons why those districts should have special representatives to refer to. Much of the discontent which existed in those districts would cease, if the inhabitants had regular means of stating their complaints. Elections in those districts would be conductors for carrying off disaffection, which, if not removed, would burst out into some violent change.

Mr. *Hudson Gurney* said, the hon. member for Bodmin, who had so well pleaded the cause of his Cornish neighbours, when he proposed that the electoral franchise should be given to the hundreds of Pyder and Powder, had omitted to state what they had done to deserve this mark of favour. He contended, that there was no greater tendency to democracy in the members for populous places, than in the members for counties or boroughs. The principle of transfer, from one town to another, had been acted upon in numerous instances, from the reign of Edward the 1st to the reign of Charles the 2nd, a space of 400 years. Within that time 140 places had been added, and 70 taken away from the representation; but as to the principle of transferring the right of representation from a borough to freeholders, where was there a precedent for that? Such a transfer was contrary to all the analogies of the constitution. The freeholders had been wont to return knights of the shires; the freemen of cities, citizens; and burghers, burgesses; but the extension of the right of voting to the freeholders of an adjoining hundred, gave a double character to the freeholders. There was no precedent for any such confusion of rights till within the last fifty years. There was no instance before that of Shoreham,—a measure extorted from the weakness of lord North's administration, and passed by small majorities in small houses. Neither was there, by such a change, any improvement in the theory of the constitution. Through the medium of the boroughs, the colonial and mercantile interests, the army, the navy, the law, did in fact furnish their share of representation to that House. But, when the right was transferred from burgesses to freeholders, a double representation was given to a class already amply represented, to the virtual disfranchisement of all others. The next instance to Shoreham, was that of Cricklade, in 1782. Lord Rockingham's administration supporting the measure, as tending to establish what was termed in the language of those days a "natural influence." The third and last borough so thrown open, was Aylesbury. The men of Aylesbury resisted the power of the marquis of Buckingham, and freely traded for themselves. They were reformed, by being thrown to the hundreds, and the return thereby was vested in the two families of Buckingham and Cavendish, who divided the nomination between them; though indeed latterly he understood the electors had thrown off the yoke, and vindicated their own independence. As to the particular case of the county of Cornwall, that county had only five or six ancient boroughs—a number, not disproportioned to its relative importance; but there were several small towns, chartered at various times by the earls and dukes of Cornwall, which habitually sent delegates to the stannary courts of the duchy. In the reign of Edward 6th, after the fall of Somerset, the duchy being in the Crown, the duke of Northumberland, in the exercise of the Crown's prerogative, caused writs to be sent to six of these, which writs he accompanied with his famous letters, nominating to the returns in some instances, and in others, commanding the electors to confer with some member of the privy council, as to whom they should choose. Mary summoned two more Cornish boroughs, and the duchy still remaining in the Crown, Elizabeth added the six others, at periods when she was pressed by dissatisfaction amongst the commons, and was haughtily dictating to her parliaments. It seemed, therefore, clear, that, whenever a case did occur, in which any of this disproportionate number of Cornish boroughs should be fairly proved to have forfeited its chartered privileges, every consideration, both of expediency and of precedent, would go to the filling up the vacancy made by its extinction, by the transfer of the right of election to one of those populous places of later growth, which ought, according to all the analogies of the English constitution, to be summoned to send its own representatives to the great council of the nation.

The Hon. *J. W. Ward* said, he did not conceive, that by voting for a bill for the disfranchisement of a borough in which bribery was notorious, and for transferring the elective franchise to a populous town, he was any more giving a pledge to what was called parliamentary reform, than he should have done if he had voted for the acts respecting Shoreham, Cricklade, and Aylesbury. He knew the noble mover was inclined to a more extensive reform, but his noble friend would not consider that he or others who voted for this bill, could be pledged to the support of the larger measure. He would not, for the sake of a small amendment, introduce a sweeping precedent; but where he saw no danger of setting a pernicious precedent, he would not renounce a clear benefit. He said a clear benefit, because the manufacturing districts suffered from the want of representatives, which was to them, not a fanciful or theoretical, but a practical want. There was, indeed, no great body unrepresented in that House; that was, none that was without a sympathising interest and an able advocate within those walls. There were cases in which this indirect mode of representation was the best, as it was effectual, while it was not burthensome to the subject. But when complicated private interests and the fortunes of great bodies were at stake, it was fit that the representatives should be persons under the more immediate cognizance of the represented, and as chosen by them enjoying their more entire confidence. This was a *prima facie* case in favour of the transfer to Leeds. If, indeed, by extending the franchise to that town, there was a danger of a precedent for changing the whole representation, there would be a ground of objection to it; but when the means of doing what was desirable was forced upon them—when they were obliged to be astute and ingenious in disposing otherwise of the franchise, there could be no danger of a precedent in extending the right to Leeds. He knew that where the manufacturing towns were not represented, their interests were attended to by members for the county in which they stood; but, though this was an alleviation of the evil, it by no means removed it. As far as there was a difference in the character of the classes of the House, there was a difference between the county and borough members. Even, if the commercial interest were strong enough to return a member, it would be so much taken from the agricultural interest, while it was the usage of the constitution that that interest should be represented in the knights of the shires. As under certain arrangements the agricultural interest would be overshadowed, so the commercial would be shackled,—the county members would continue to be chosen out of the circle of country gentlemen, who, though most respectable men, were, perhaps, not the most fitted by habits and education to manage the intricate and complicated business of a manufacturing community. Undoubtedly, if they agreed to the proposition of his noble friend, by transferring the share of the elective franchise, which was estreated by the corruption of Grampound, to the west riding of Yorkshire, they might add to the respectability of the House, by introducing great landed proprietors, but they would not do the greatest good; they would not avoid the clashing of interests. Within the last century interests had grown up, to which it was to be wished that a more direct representation should be given, not in proportion to wealth or population; to any such apportionment he objected. So much had so absurdly been said of the old constitution, that every man of sense was almost ashamed to found any argument on it; but there was one thing certain, that though there never was a time in which the representation was in proportion to population, or in any other proportion; though they might in vain look for the times when there were no small boroughs under the influence of peers; though they might not be able to realise the fancied scene of free vassals making choice of independent representatives within bowshot of the castle of their lords; yet there was a time when no great and considerable town was deprived of what was in those days considered the burthen of representatives. Our ancestors would be not surprised if they could see the small dependent boroughs of the present day, for those they were well acquainted with; but they would be surprised to see towns, twice as large as their London, without a representative. He was not sanguine as to the effect of this bill on those who asked for that which, if granted, would overthrow the constitution; but if there were any who were not violently bent on a general and theoretical reform, it could not be doubted, that they would be more satisfied if the right were given to a great town. What, it might, perhaps, be asked, was the great defect in our constitution? This:—that our extensive manufacturing towns were not represented. This was a defect so evident, that it must occur to every one—to men, women, and children, he had almost said, upon a moment's reflection. But it required an acquaintance with politics, and a temperate judgment, and no small insight into the less obvious principles of the constitution, to be enabled to ascertain that in fact there really existed no great and disproportionate deficiency in the representation. It must be acknowledged that this question had given birth to a variety of propositions, and a singular discussion; but he was at a loss to understand upon what principles of the rule of succession, local proximity was to be taken as the most reasonable. He could not really understand why the fortunate hundred was to become the heir of the borough deceased. At that rate, if the corporation of London were, by any accident, to become defunct in law, the charter and privileges of incorporation ought to be removed to the nearest village; and, on the same reasoning, if the Bank of England were to be guilty of some fraudulent and improper conduct, such as should forfeit their charter and eject their directors, it might be proper to call in the inhabitants of Threadneedle-street, as their immediate neighbours, to take possession. If it were intended to argue, that it was not proper to deprive of their franchise those electors of this borough, who had not been guilty of the mal-practices complained of, he could see the propriety and reasonableness of such a position; but, really, the number of innocent electors was too trifling to continue, on that account, a privilege to them, which might again be abused by the borough generally. He had heard a great deal said by hon. gentlemen, who asked what compensation was to be made to the electors of Grampound, in any case? Why, what had those electors after all? They did possess a good marketable vote that would sell for some pounds, once in every five or seven years; and now, it was proposed by one hon. gentleman, to give them a dry, constitutional suffrage, that would not sell for half-a-crown. Putting out of the question the three cases of Cricklade, Shoreham, and Aylesbury, which were of too modern occurrence to be of much force on such an occasion as this, he must maintain, that the clause proposed by his noble friend was entirely consistent with ancient usage. All those deceased boroughs, which his noble friend had dug up in the course of his patriotic excavations, had much more the air of the real constitutional antique, than the patchwork precedents which had been discovered of a later age. What had been the subject of some complaint against that House, was, that they would do nothing in the shape of a reform or an improvement. For his own part, attached as he was to the constitution, even in its present shape, he would not go out of his way to effect any change in it; but when so salutary a measure might be adopted without the slightest disadvantage, but with a tendency to remedy a defect, on all hands acknowledged (as in the case of the corruption of this borough) to exist, he must give it his support. If he lived in an old and venerable house, where he had been accustomed to reside from his infancy, and a part of that house, ill-built and ruinous, fell down, he should not, in rebuilding or repairing it, feel himself bound to adhere to its original inconvenience and ugliness. So, when reformers asked him, whether the necessity of some change in our representation was not obvious, and why he did not recommend it, he always answered (and perhaps badly enough) "I will not change it at all;" but he must prefer even the chance of effecting some good and giving partial satisfaction, to the certainty of upholding what had become a manifest mischief, and to occasioning entire and universal discontent. On these principles he should support the clause that had been proposed by his noble friend.

Mr. *Wynn* said he had no desire to enter into those exact and laboured calculations, which an honourable gentleman had favoured them with, of the precise proportion which the population of the different counties bore to the House of Commons. Whether or no, it was to be proposed that the present system was to be done away with altogether, or whether they were to sit there, as a cortes, to inquire if a more equal system of representation might be adopted, he should only say, that he was adverse, and ever should be adverse, to any general change. But here, as had been said by his hon. friend who spoke last, a practical and certain good was offered and might readily be effected. The hon. member for Galway, alone, had ventured to speak in favour of Grampound. But, could it be fit, after the glaring and undisguised bribery which had been proved to have existed in that borough, that it should still send members to parliament? The cases of Cricklade, Shoreham, and Aylesbury were, in some particulars, essentially different from the present. For himself, he never knew a borough, where corruption had existed, and a cure had been attempted, thatdid not still retain the principle of its infection. The same borough still continued corrupt. He must here correct, having himself been one of the committee upon the Aylesbury case, the statement of an hon. gentleman, who sat beside him. That borough never was under the influence of any individual, excepting that candidate who brought with him the largest purse. Such was its character a hundred years ago, and such it was so lately as the time of Mr. Wilkes, who, at the period when he was the idol of the people, in the zenith of his popularity, and eulogized for his unsullied and disinterested patriotism, could only induce the electors of Aylesbury to accept of his pound in preference to the guinea of another man.—The hon. member said he could see no reason why, for the purposes of this transfer, the adjoining hundreds should be preferred to any other district. When, indeed, in cases somewhat similar, it was desirable to retain the power, and it was wished to infuse a purer blood, as it were, into those by whom it was to be retained, such a proceeding might be all very proper; but the case was entirely different in this instance. It was extremely proper that, when an opportunity offered, so impure an excrescence as this should be lopped off. Here it was proposed to do so without danger; and he would agree with his hon. friend opposite, that they would be opening a door to future innovation, and pledging themselves to adopt such a course in all future times. The very constitution of that House was, that its members were elected by bodies of different descriptions; and it would be wholly objectionable, if it was suffered, that the representation should not be filled up, as at present, but all one way, or all the other. He certainly preferred transferring the franchise to York; because, by that means, they would get rid of another great inconvenience—and that he would explain. He had no hesitation in saying that the number of freeholders in the county of York was so great, that they could not conveniently exercise their elective franchise in one place within the usual time. By the accounts which they had of the last election, contested there, it appeared that the booths to the latest moment were quite full, and that even to the close there were many individuals who could not poll. At that election no fewer than 26,000 freeholders polled. He did feel that the subdivision of those votes would be a great convenience, in the way which had been proposed by the hon. mover of that clause. He could not suppose, indeed, that they who were clamouring without doors for parliamentary reform, would receive this measure with any great satisfaction. They said the House was so constituted, that it did not represent the people. He perfectly understood their argument, which was for a change in the representation; but if it was for any change, it was for a great and extensive one. It was their desire that all the small boroughs should be disfranchised at once, and they would tell the House, that, by the present measure, it had done little or nothing. The House, however, must do its duty. It must look to present advantage, and to present opportunity. As to what would give most satisfaction to the clamorous out of doors, it was of little use to inquire; because, whatever the House did, either one way or the other, those persons would immediately discover that it had done the worst thing in the world. He was perfectly satisfied with the House as it was now constituted. They had been told, that if it represented the opinions of the people, it would never have consented to pass bills limiting and abridging the popular rights; but an opportunity had been afforded of ascertaining what the real truth was, because a dissolution of parliament took place almost immediately after the passing of those bills. And what was the consequence? Did it appear from the result of the elections, that the public opinion was against those measures? So far from this being the case, he believed there was not a single instance in which a county member had incurred the displeasure of his constituents by the support of those measures; and, looking to the opinions of those who were most distinguished for property and consideration in the country, he was persuaded that those bills had been and were popular measures. He thought that either the proposition of the noble lord, or that of the member for Northumberland, would be a good practical measure; but he gave the preference to that of the latter.

Mr. *Robinson* wished to state the grounds upon which he was inclined to prefer the measure which had been suggested by his hon. friend under the gallery (Mr. D. Gilbert). The question which the House had to decide was, whether there now existed a necessity for departing from that mode of administering justice against delinquent boroughs, which in former instances parliament had thought fit to adopt? When this question was first brought forward, it came before the House under very different circumstances from those in which it now appeared; and it was formerly argued, that there did exist a necessity for adopting a different course, which necessity no longer existed; for at that time there was another bill, which had made some progress in the House, for applying a punishment to another borough, in the county of Cornwall. That bill had the precedence of the proposition of the noble lord, and the object of it was, to apply to the borough of Penryn the same principle of punishment which had been adopted in other instances. Now, as the case of Penryn was the first brought under the notice of the House, the House could not exclude from its consideration the possible inconvenience which might arise from applying a different mode of punishment to two contiguous boroughs; but as the bill for punishing Penryn was not proceeded with, Grampound, which was then the second case, had now become the first. Whatever were the reasons for supporting the bill against Penryn up to the stages to which it advanced, exactly the same reasons existed for supporting the bill against Grampound. His hon. friend near him (Mr. Ward) objected to the principle of transferring the elective franchise to the adjoining hundreds, and had commented upon the absurdity of supposing that the inhabitants of Grampound would be anxious to exchange a marketable commodity for a dry constitutional right. There would have been some weight in this argument if all the voters for Grampound had been guilty of bribery; but this was far from having been proved, and it was clearly established that some of them were not guilty. Now, it would be peculiarly hard upon the incorrupt part of the voters to deprive them of a right, which the very circumstance of their having kept themselves pure in the midst of corruption, proved that, as they were capable of appreciating its value, so they would be most sensible of the injury of deprivation. It was unnecessary for him to trouble the House at greater length in supporting those principles upon which the House had been accustomed to act in similar cases—principles of admitted efficacy for the prevention of those abuses to which they were applied, and to which he was disposed to adhere, unless an over-ruling necessity could be shown for departing from them.

Mr. *Maxwell* strenuously supported the principle of the bill. He entered into a history of the conduct of government towards the labouring classes of the people since the time of Henry 8th, and pointed out the justice and good policy of giving to the manufacturing classes their due weight in the state.

Mr. *Wilmot* thought that the House should confine itself strictly to the consideration of applying a remedy for a specific grievance, and not mix up this subject with the general question of parliamentary reform. It was not even necessary to consider in the abstract the propriety or impropriety of extending the elective franchise to large unrepresented towns. He saw no constitutional objection to such towns being represented, but at the same time he saw the palpable inconvenience of introducing general subjects of reform into the discussion of a measure, of which the object was, to remedy a glaring abuse, and a specific grievance. In applying a punishment to the offending borough, he could not put out of his consideration the moral effect of the decision of the legislature, and he, for one, should not feel satisfied, unless the name of Grampound was expunged from the representative system. He thought it equally impolitic and inconvenient to enter into general topics of commercial distress, and therefore should offer no comment upon what had fallen from his honourable friend who preceded him. His objection to the substitution of the west riding of Yorkshire for Leeds was, that he was not aware of any constitutional precedent for the representation of a riding. He could understand why the west riding of Yorkshire should be selected as a district which might be benefited by more direct representation; but the transfer of the election from Grampound to Leeds, would equally accomplish the object, and, as he contended, in a more constitutional manner. To those who were afraid of letting in the principle of reform, he begged to say, that in that hour, when the royal assent was given to the bill for extending the right of voting for the borough of Shoreham to the freeholders of the adjoining hundred, the principle of reform was admitted and sanctioned in a manner far more innovating and objectionable in his opinion, than by the plan proposed by his noble friend. His right honourable friend below him (Mr. Robinson) had defended the extension to the hundreds, and had asked whether it would be fair to visit those voters who were not guilty of bribery, with the same measure of punishment as the guilty? But this was an inconvenience, for which he (Mr. W.) saw no remedy; and as he was called upon to strike a balance between the apparent injustice on the one hand, and the moral necessity of inflicting justice on the other, he felt himself bound to prefer the latter alternative. The elective franchise was a trust delegated individually, but exercised collectively; and when that trust had been extensively betrayed, the punishment must be general. If his noble friend opposite, in transferring the elective franchise to the borough of Leeds, was prepared to consent to a suitable qualification for the voters, he was perfectly ready to support his measure, and should infinitely prefer it to the proposition of the member for Northumberland for extending the right of voting to the west riding of Yorkshire.

Mr. *Bathurst,* while he fully concurred in the propriety of applying some remedy, thought the House was bound to look to the consequences which would probably result from the measure which they should now adopt. Looking to the question now before the House as a practical question, he wished to bring it to a practical result. There were not wanting gentlemen who would consider the loss of this measure as so much gain; because, if nothing were done in this case, the refusal of the House to apply a remedy to an admitted grievance would furnish additional ground for complaint. What he wished the House to consider, therefore, was, the practical result of this measure, and in order to secure a practical benefit, he thought they ought not to take a wider range in applying a remedy, than the necessity of the case required. They were bound to look to what parliament had done in former instances, and to apply such a remedy as was calculated to introduce as little innovation as possible into the existing state of the representation. This was the first instance of a system of reform of transferring the elective franchise from small boroughs to large and populous parts of the country. His hon. friend (Mr. Ward) had been inconsistent with himself in deprecating parliamentary reform, and advocating the present bill. His hon. friend had said, on a former occasion, that the representatives of Old Sarum were as much representatives of the people as those who were returned by the most populous places; and upon that principle the bill now before the House could not be supported as just or salutary. The way to correct glaring abuses in the representation was, when the mass of the electors of a borough had been found notoriously corrupt, to extend the right to the adjoining hundreds, and thereby make an addition of wholesome voters, to prevent the possibility of a repetition of the offence in the borough. He considered it absurd to grant the right of voting for the county to the uncorrupt voters of Grampound, seeing that they were not freeholders. He thought it bad in principle, and dangerous in its consequences, to act in the present case differently from all former instances, and to go beyond all the precedents before them, in order to hold up Grampound as a terror to others.

Mr. *Lennard* said, that an hon. member had stated, that no seats had been lost at the last election, in consequence of hon. members having voted for the six unconstitutional bills. He did not intend to contradict the inference that must be drawn from the speech of the hon. member, that the House did not sympathize with the feelings of the people; but in justice to his constituents he must declare that he believed he owed the seat which he had the honour to have, to the disgust which was created among his constituents by the votes of the late members for Ipswich in favour of those bills. With regard to what had fallen from the president of the Board of Control, who had stated that the disfranchisement of Grampound would serve as a warning to other boroughs, it was his opinion that it would have no such effect; he had no hope that it would have any such effect. He was convinced that boroughs of the same sort would, while they continued to exist, act like other hardened delinquents: with the example of punishment before their eyes, they would still go on in their evil courses. With respect to the proposal of the noble lord to throw the elective franchise where it was most wanted, he should have thought there could be no question. Although in former cases the forfeited franchise was given to the hundreds adjoining the delinquent borough, he could see no reason why the House should be prevented by a bad precedent from doing substantial justice. The constitution of the House was formed on the principle of a broad and extended representation, of giving to distinct and separate interests distinct and responsible representatives in that House. If this principle had been carried into effect—if the seats filled with the representatives of decayed and rotten boroughs had been filled with representatives from the great manufacturing towns, would ministers have been able to persevere in that long course of taxation and extravagance which had brought the country to ruin?

Mr. *Littleton* said, he did hope that a case so clear, so glaring as the present, would be met, not by evasive or jesuitical conduct on the part of the House, but by that immediate infliction of condign punishment which alone would satisfy the country. If, when a case of plain, unqualified, indisputable crime was brought before the House of Commons, the people of England saw that House temporising, wavering, and endeavouring to sooth with palliatives that evil for which an obvious and an efficient remedy presented itself; if the people of England saw such a course adopted by the House of Commons, it could scarcely create surprise if those people, in the disappointment of their reasonable and honest expectations, did fall into the hands of demagogues, or visionary and vicious schemers. The people of the country were always inclined to act with honesty and justice; and, upon an occasion like the present, the House, he thought, ought to take the lead. The proposal of the noble lord seemed perfectly unobjectionable; it embodied a principle which, serving as an example to future parliaments, might preserve the country for ages to come against the danger to be apprehended from revolutionary sentiments. The objections of the hon. member for Bodmin were not, coming from that hon. member, at all surprising; but he could not see why Cornwall alone should be so peculiarly blessed with electioneering grace. To him it had always appeared most improper and most impolitic, that so many large and populous towns, furnishing so much support, both of talent and of riches, to their country, should remain unrepresented. To him it did appear, that the present motion was calculated to restore to the House of Commons the confidence of the people; that it was a motion calculated to place the House upon the basis of a pure, a liberal, and an enlightened policy.

Lord *John Russell*, before the question was put to the vote, thought it necessary to make a few remarks upon the objections which had been urged against the motion. In the first place, he should endeavour to rescue his hon. friend (Mr. Ward) from the imputation which the president of the Board of Control had attempted to cast upon him; namely, that any hon. member who should support the present, or any proposition of reform, was exposing the constitution to serious danger; as, if the principle of reform were once admitted, no one could say to what length that principle might be carried: on the contrary, he felt that a member might consistently vote for his proposition, and yet resist any general plan of reform, or refuse his support to any measure of this nature, unless where a similar chasm was created by similar corruption, which chasm it became necessary to fill up. The hon. member for Bodmin had argued, that Cornwall did not, in fact, possess any undue share in the representation; because, truly, only five out of the 44 members returned by that county were actually resident. But this argument admitted of an answer which did not appear to be in the contemplation of the hon. gentleman; for as there was such a number of non-resident members returned for Cornwall, that number was of course taken out of the common stock of representation, and from that common stock it was proposed by his motion to have still two members returned. But instead of having these members elected by Grampound, which had forfeited its rights by corruption, or fixing that right in any part of Cornwall, the freeholders of which were already sufficiently represented, he would have it transferred to a large, populous, and important town, which had at present no direct representative in that House. This town, then, had a right to complain, while no such right could belong to the freeholders of Cornwall, even though the franchise of Grampound, or any other borough convicted of corruption in that county, should be transferred to other populous towns. The president of the Board of Control had objected to the proposed transfer of the right of representation from Grampound to Leeds, on the ground that such transfer would involve a departure from the principle laid down by the House in 1771, and that therefore it proposed an innovation that ought to be resisted. But, if the right hon. gentleman had been a member of the House in 1771, he would most probably have resisted the principle then established, as an innovation also; for it was much more an innovation than that which he had on this occasion submitted to the House, the only difference being, that instead of extending the right of voting to the freeholders resident in the vicinity of a corrupt borough (which measure would still include the inhabitants of that corrupt borough), he proposed to transfer that right to another and more populous district. In acting upon this principle, too, he was acting in conformity with the ancient usages of the constitution. With respect to the argument that it was unfair to propose disfranchisement of all the electors of Grampound, in consequence of the corruption of some, the only answer it required was a statement of the fact that this borough had been, for a series of years, notoriously corrupt. One of the witnesses indeed had deposed that, according to his belief, there were three or four electors in Grampound who were not bribed. But this was all that appeared in evidence to save that borough from the charge of corruption, and could such an expression of belief be urged in favour of such flagrant criminality as had been proved against Grampound? The president of the Board of Control had said, that there were persons who would be pleased with the rejection of the bill, as it might afford them an opportunity of saying that the House discouraged every step towards reform. If there were such persons he could assure the gentlemen opposite, that he had no disposition, whatever, to countenance or support. He would, however, invoke the House to adopt that course of reform which was called for by all the rational, constitutional, and sober friends of liberty, justice, and the country, as the best means of guarding against the views of those who looked for reform through violence and mischief.

The amendment was negatived.

Mr. *Beaumont* then moved, "That it be an instruction to the Committee, that they have power to enable the county of York to send four Members to serve in Parliament, of whom two to be sent from the West Riding, and two from the North and East Ridings of the said county."

Mr. *N. Calvert* seconded the motion, observing, that if the right of representation were transferred to Leeds, the members returned would not be independent, as they must expect to be turned out whenever they should vote against the opinion or interests of the majority of the clothiers by whom they were returned. Such members must, indeed, support all the commercial speculations of their constituents.

Mr. *Stuart Wortley* observed, that the objection urged by the last speaker against the proposed transfer of the right of returning representatives to Leeds, would operate equally against the present system of representation for all populous towns —for Westminster, Bristol, or Liverpool for instance. Putting aside all general opinions as to the necessity of parliamentary reform, here was a blot hit; and if a remedy was to be applied, let it be applied in the way best calculated to benefit the public. Now, in giving two additional members to the county of York, nothing was done for the improvement of the representation. Every freeholder in that county had some one present in the House of Commons to protect his interests; but in Leeds, as in other great towns, there was an immense body of persons in the habit of thinking much upon political subjects, who had no organ whatever in that House whereby to express themselves. It was a considerable advantage to the House to have within it the immediate representative of a large body of men, and particularly of a large body of manufacturers. With respect to the county of York itself, did the hon. member think that (as regarded the transfer which he proposed) mere instructions to the committee would be sufficient for his purpose? Much machinery must be put in action before Yorkshire could be divided into two counties. At present Yorkshire had but one sheriff and but one county court; in the event of division, there must be two sheriffs and two county courts. The proposal of the hon. member brought with it many other disadvantages. Yorkshire was accustomed to meet as a whole county, and it was the boast of its inhabitants that it carried with it more weight, from its great extent, than any county in England.

True, there were separate ridings, and each riding had its separate lord-lieutenant, and its separate clerk of the peace; but there were no meetings of ridings. The gentlemen met at the assizes, and upon grand juries; and every where it was a meeting of the county of York, not of a separate riding. It was a mistake to suppose that York, as a county, had a very great number of voters. Upon that point, Yorkshire was far exceeded by Lancashire—Lancashire having 60,000 voters, and York, at the last election, only 26,000. If, however, the House did meditate any thing like reform, a transfer to Yorkshire was not the mode of carrying such an intention into effect. If the House made up its mind to say, "We will not give members to these great towns, but we will give them to the counties," the consequence must be, that the whole representation would fall into the hands of the aristocracy;—there would be nothing but county members and members for nomination boroughs. The plain and obvious course in taking away the right of representation from a town which had fallen into decay was, to give it to some other town which had risen in point of population and of importance. To Leeds, therefore, he should be inclined to transfer the franchise from Grampound. He thought that a representative from that town, as the center of a great clothing country, would be efficient in the House, and he thought that the right of representation would, to the town of Leeds itself, be matter of very considerable advantage.

Mr. Alderman *Heygate* supported the extension of the right to the town of Leeds. He thought its adoption would give satisfaction to the country.

Mr. *H. Sumner* supported the amendment. An hon. gentleman had spoken very properly and impressively of the benefits resulting from an adequate representation of the trading interests. He was aware how powerful that interest was, and that it would secure its own adequate representation. The House recollected the consequences which followed in Yorkshire, when a noble lord, now called to the upper House (lord Lascelles), had ventured to oppose the clothing interest. It so drew on him the displeasure of that interest, that he was turned out of his seat on the next election. He considered it no small additional objection to conferring the representation on a large town rather than on the half of the county, that the expenses of an election for Yorkshire were so enormous, that there were not above five or six individuals in the country who were, in point of finance, capable of entering the lists as candidates. By dividing the representation, the expense of contested elections to the candidates would be considerably diminished, and the representation itself would be rendered more easily attainable, and the number of canditates would, of course, increase.

The House divided: Ayes, 66; Noes, 126: Majority against the Instruction, 60. The chairman reported progress, and asked leave to sit again.

Queen's Annuity Bill.] The House having resolved itself into a committee on this bill, the Chancellor of the Exchequer moved, that the blank be filled up with the sum of 50,000*l.*

Mr. Alderman *C. Smith* rose to state the reasons which induced him to object to the proposed grant. Notwithstanding the disgusting nature of the details exhibited by the evidence on the late trial of her majesty, he had felt it his duty to give his most serious attention to so very important a subject, and the result was, that he could not conscientiously agree, even if he could overlook the past, that so large a sum should be entrusted to such hands. He was persuaded the Queen had got those persons about her who would persuade her, notwithstanding her expressed determination to the contrary, to accept the proferred bounty of parliament, and he much feared, from the well-known character of those persons, that the greater part of this immense sum would be applied to increase that ferment, and perpetuate those disturbances which had so long injured the public interests. In another point of view, he was disposed to consider the sum too large. He thought ministers would not be justified in recommending, at this period of distress, so large a provision for the Queen. He could not pass over this subject, without referring to another burthensome charge on the public; he meant, the immense annuity now enjoyed by the prince of Saxe Coburg. He professed the sincerest respect for the memory of the Princess Charlotte; but he would say, that the object which the country had in giving that enormous income to the husband of the nation's hope was now at an end. The peculiar situation in which he stood to this country was now so completely altered, that he could have no possible necessity for so large an allowance.

Mr. *Baring* observed, with reference to one of the clauses, that it declared the present provision to be in bar of all other claims as well as of dower. If the Queen were a consenting party to this bill, such an arrangement might be unobjectionable; but it did not appear just to deprive her of any right, where she declined receiving what was tendered in lieu of it.

The *Chancellor of the Exchequer* said, the words were unnecessary. The Queen Consort had no title to dower, inasmuch as the Crown lands were not subject to it. It was considered better to make the arrangement co-extensive with her majesty's life, because she was entitled to a similar annuity by her marriage settlement.

Mr. *Baring* would not have adverted to the point, had it not been for the novel circumstance of their now proceeding to grant an annuity to a person who refused to accept it. In the event of her surviving his majesty, she might no longer have the same reason for that refusal.

Mr. *Huskisson* remarked, that the last act of parliament made no distinction with regard to the Queen's surviving. By her marriage settlement she was entitled to the same annuity if she had survived as the Princess of Wales; but the letters patent for executing that settlement were never passed, and there was now no such person as the princess of Wales. The act of settlement had therefore become a nullity, and it was necessary that the provision made by it should be again secured in the event of her surviving his present majesty.

Mr. *Baring* was of opinion that this ought to be done by a special act as it appeared that the Queen's rights had been affected by some omission or neglect. It might be a great hardship to render that a provision for life which she now refused, as implying a sacrifice of character, but might hereafter, under different circumstances, be disposed to receive, if granted in any other form. He could see no objection to grant the present annuity for his majesty's life, and, in the event of the Queen's surviving him, to place the provision on a different footing.

Mr. *Huskisson* observed, that the present bill provided for the Queen Consort, in the same manner as she had been provided for in her marriage settlement as princess of Wales.

Mr. *Tierney* conceived that the views of all parties would be best answered by the introduction of the bills, as the Queen might otherwise be reduced to the necessity of rejecting a provision for her whole life.

Mr. *Huskisson* said, that it was neither an omission nor a mistake in the act. There was an act enabling the Crown to make her royal highness a certain grant in case the prince of Wales died before her in the life-time of his late majesty; but no such contingency had ever happened. There was nothing in the marriage contract to provide for her majesty as Queen-Consort.

Mr. *Bernal* was at issue with the right hon. gentleman as to its being neither an omission nor a mistake in the act. If she was not considered entitled to any provision either as princess of Wales or Queen-Consort, her rights as a subject must be taken into consideration; and she would then be entitled to her equity on her marriage contract. She had a right to insist on the grant or execution of the letters patent, or on some other instrument, to carry that grant or those letters patent into effect,

The *Chancellor of the Exchequer* maintained that her majesty could have no claim upon the grounds suggested by the hon. gentleman. Though her majesty might have some difficulty in accepting the grant of 50,000*l.* under the present circumstances, there would be no difficulty in receiving it under this bill, which would recite all the settlements from the marriage settlement inclusive.

Mr. *Tierney* was unwilling to produce at that moment any grave discussion, but he trusted his silence would not subsequently be thrown in his teeth, or that he should be considered by that silence as pledged to any admission, either that the grant was too small or too large.

The bill went through the committee.

HOUSE OF COMMONS.

Tuesday, February 13.

PETITIONS RELATIVE TO THE QUEEN.] Sir *W. De Crespigny* presented a petition from Tadley, praying for an inquiry into the Agricultural Distresses. The petitioners had instructed him to state, that when a Dutch governor was at the Cape of Good Hope, the salary was only 2,000*l.* a year; since which time, however, it had been raised to no less than 14,000*l.* The whole system of expenditure, in the colonies, proceeded on the same extravagant principle, and under these circumstances, how could any expectations be entertained that the national distress would diminish? The petitioners also instructed him to pray, that her majesty's name might be restored to the Liturgy; and that an inquiry should be instituted into the conduct of ministers. The omission of her majesty's name from the Liturgy, the petitioners deemed to be as illegal as would have been the omission of the name of the king; and they also considered it as having placed her *bona fide* in a state of excommunication. Ministers might say, that that was absurd, because her majesty had since received the sacrament; but that was by no means a satisfactory answer. Of this he was persuaded, that in Roman Catholic countries, a similar exclusion of a queen-consort from the prayers of the people would be considered a sentence of excommunication.

Mr. *C. Calvert* presented a petition, signed by four-fifths of the inhabitants of the parish of St. John's, Southwark. It expressed great disapprobation at the proceedings against her majesty, and astonishment that no means had been devised of diminishing the public expenditure, and extending the national commerce.

Sir *R. Wilson* expressed his conviction, that by a steady perseverance in petitioning that House, the people would ultimately triumph. He should consider the restoration of her majesty's name to the Liturgy as an act of amnesty. If, on the contrary, ministers persevered in their present course, they must take the consequences, and on their heads would be all the evils that would ensue.

Mr. *Bernal* presented a petition from Lincoln, signed by 1030 persons, praying for the restoration of her majesty's name to the Liturgy, and for a reform in parliament. The hon. gentleman explained the circumstances which had induced the petitioners to place the petition in his hands, and supported the double prayer of the petition.

Mr. *Sibthorp* concurred in hoping that the House would take the petition into consideration, but begged not to be understood as pledged to the support of either of its prayers. He had never been able to bring himself to consider the proceedings against her majesty as unjust, illegal, and inexpedient; and as to parliamentary reform, he ever should oppose every system, which, under the pretence of reform, threatened to endanger the best principles of our constitution.

Mr. *R. Smith* concurred in that part of the petition which prayed for the restoration of her majesty's name to the Liturgy, on the plain ground, that as a lawyer, he could see no legal or constitutional justification for the expulsion of it. To the question of parliamentary reform, he looked with more apprehension of evil than hope of good; and he had determined not to accede to any proposition on that subject, the consequences of which he did not clearly foresee. The hundreds of petitions in which parliamentary reform and her majesty's exclusion from the Liturgy were coupled, showed how unfortunately the latter occurrence had excited the people with respect to the former object. There was not throughout the kingdom a more quiet, orderly, and well-disposed population, than that of the city of Lincoln; and to his certain knowledge, hundreds had signed their names to the present petition, who entertained a sincere respect for royalty, and were indignant at the way in which the dignity of the royal family had been compromised by ministers. A wise government would have endeavoured to conciliate such persons, and not to set up the votes of the House of Commons against law, and the general feeling of the people throughout the kingdom.

Sir *R. Heron* presented a similar petition from Holbeach, many of the signatures to the petition were those of persons who had been called upon to sign what were called loyal declarations, and which they did under the impression that those declarations were merely expressions of loyalty. Subsequently, on discovering that those declarations contained a libel on a portion of their countrymen, and were intended to support a faction in the possession of power, they regretted the delusion into which they had been betrayed, and signed the petition which he held in his hand. At a time when so many persons were apprehensive that it would be impossible much longer to discharge the interest of the national dept, the importance of compelling government to adopt that species of retrenchment which could alone be effective, was self-evident. They might talk loudly of the necessity of upholding the national faith and credit; but that doctrine came with a bad grace from those who refused to listen to any measures of retrenchment. With respect to parliamentary reform, every thing that he had witnessed since he had the honour of a seat in that House, confirmed him in the opinion of its necessity.

Mr. *Pelham* said, he could assure ministers, that if they calculated upon all the individuals who had signed the loyal declarations as their supporters, they were wofully mistaken. He was convinced that a large majority of the people wished for a change of ministers and of measures.

Dr. *Lushington* presented a petition, signed by ten Clergymen of the established church. The petitioners stated, that they had always been taught to believe that the Act of Uniformity regulated the performance of divine service in all respects; and that the power of the Crown, in ecclesiastical matters, was entirely limited and circumscribed by it. He entirely agreed with the petitioners, that the Act of Uniformity had so limited and circumscribed the power of the Crown, which, in his opinion, was prevented from making an iota of alteration in the Book of Common Prayer. If this were not so—if the Crown, by means of an Order in Council, could make any alteration in the established form of divine worship, it would be difficult to say where the exercise of that power might stop. He could conceive no doctrine more fatal to the established church, or more pregnant with national evil than such a supposition. And why? Undoubtedly under the reign of our late revered Sovereign, there was no danger of any such consequences. It was also true, that in his present majesty's reign. no such evil was to be apprehended. But who could tell whether—as James the 2nd desired to overthrow the established church by the introduction of popery—some future king, in his latter days, having spent his youth in profligacy and debauchery, might not be wheedled and deluded by that class of religious enthusiasts, called Methodists, and, under the influence of their fanaticism, be tempted to endeavor to introduce into the service of the established church that, which, in his opinion, would be attended with much greater evil than any Roman Catholic doctrines? In the petition, there was not one word of violence—not a word disrespectful to that House. The petitioners relate the state of their feelings with respect to the measure of the Liturgy, and conclude by praying that the House would take into its serious consideration the agitated state, in which the worship of the church of England stands; and, that it would restore to the church that peace and concord, so necessary to the welfare of the established religion. The petitioners, by the 55th canon, are compelled to pray for the Queen [hear!]—by that canon, they are solemnly directed to pray for the Queen by name; and yet, by the order of the king in council, they are expressly prohibited from praying for the Queen! That most unfortunate and illegal measure had introduced nothing but confusion in divine service, and excited unbounded disgust throughout the country.

Mr. *Lockhart* said, that according to the plain words of the act of parliament, the order in council appeared to be illegal. It was not less so, with reference to history and precedent. The forcible arguments which had been urged on that side were combated by the law officers of the Crown by nicety and subtilty of reasoning, by precedents which did not in any way bear upon the subject. The statute appeared to him to be directory--it appeared to be more than directory—it apeared to be mandatory. But if it left, as was contended, a discretionary power, then ought the law in reference to the Queen to be construed in the most favourable, instead of the severest manner; otherwise the statute should be looked upon as a statute, penal in its nature. Of all judgments, that to an honourable and feeling mind was the most abhorrent, which was called an infamous judgment; that judgment which took away the character of the party, which excluded him from the place of virtuous and honourable society. If, instead of being mandatory, the statute was penal, it ought to be construed favourably—construed, as an ordinary man would construe it, on a fair perusal, and not upon nice and subtle grounds. The exclusion of her majesty's name from the Liturgy was most unconstitutional, and formed a dangerous precedent, as regarded the succession. He complained that ministers had not taken the advice of the twelve judges: instead of which they depended solely on the law officers of the crown. He had intended to move as an amendment to the motion of Mr. Smith, that the question should stand until the advice of the twelve judges were taken: but he anticipated, that the result of that night's deliberation would render any step on his part unnecessary.

Mr. *Harbord* observed, that he was not one of those who approved of a secession, under any circumstances, of the members of the English church from their places of worship; but it was a melancholy fact, that such a secession had taken place to a considerable extent. He did not complain so much that her majesty was not prayed for, as he did that she was prayed against. He deprecated the too frequent practice of introducing political matter into sermons. He was sure there was no person in that House but would concur in the propriety of condemning such a prostitution of the pulpit. It was from no political motive whatever that he introduced this subject, but the fact was that he was lately at a parish church with two hon. members, and on that occasion the clergyman introduced politics into his sermon in the most offensive manner. He hoped that through the means of such an humble individual as himself, the practice might be reprobated and discontinued.

Dr. *Lushington* presented a similar petion from King's Lynn. He would take that opportunity of stating as a fact, that a clergyman, who stood remarkable for the active part he had taken against the Queen, had lately confessed that one-third of his parishioners had left the church. The petitioners stated, that the distress and discontent which prevailed throughout the country was to be mainly attributed to the ignorance, obstinacy, and inanity of ministers. He did, from the bottom of his heart, agree in that sentiment. To the conduct of the ministers, and to the defective state of the representation, did he attribute the national misfortunes.

Mr. *R. Martin* said, that if the learned gentleman should continue to deal in such broad assertions against ministers, his veracity would be liable to be questioned [cries of order, order!]. He contended, that he was not out of order; that was not veracity which was not true.

The *Speaker* thought the hon. member was in the first instance somewhat out of order; but he had no doubt but that his explanation was highly disorderly.

Mr. *Martin* said, he received the decision of the Speaker in the most humble and penitential manner.

Mr. Alderman *Wood* presented a similar petition from the lord mayor, aldermen, and livery of London. He trusted, that neither the noble lord opposite, nor the hon. members for Surrey and Somerset, would charge the body that presented this petition with having been paid for their signatures.

Mr. *Wilson* said, that the petition imputed to ministers conduct, so infamous, that if it were true, he would feel himself degraded by remaining in his present neighbourhood. He believed it was untrue, and that the noble lord and his colleagues acted from conscientious motives. He had heard much very ably urged on the question of the Liturgy, but whether it was from want of comprehension or not, he certainly went away unconvinced. He thought her majesty was entitled to all the benefit of the proceedings in another place having been dropt; but when he looked to her answers to certain addresses—when he read her Letter to the King, and the communication which she had sent down to that House, he could not help saying, that though she had peace on her tongue, there was war in her heart.

Mr. *Bernal* was not surprised that her majesty had refused the provision which that House had offered; convinced as she was of her innocence, she demanded her rights; to have accepted of that provision would have been a compromise of her honour.

Sir *G. Robinson* presented a similar petition from Northampton. He did not believe, that any man of sense and sincerity, could lay his hand on his heart and say, that the exclusion of her majesty's name from the Liturgy was not intended by ministers as a mark of disgrace, or that such a disgrace was not a punishment. He rejoiced that she had had the magnanimity to refuse any pecuniary arrangement until that right had been recognised. Her majesty, with that magnanimity which characterized the family from which she sprung, had twice refused to barter her honour for a bribe; and he trusted the people had too much generosity to allow their Queen to be starved at last into a compliance with the will of ministers.

Mr. *C. Dundas* presented a similar petition from Kintbury, in Berkshire. He hoped the House would grant the prayers of the people, and thereby restore peace to the country, and congregations to the deserted churches.

Mr. *Hobhouse* said he had three petitions to present, which had much the same object as the others which had been presented that evening. The first of the petitions was from the inhabitant householders of the united parishes of St. Andrew, Holborn, and St. George the Martyr, and owed its origin to a loyal address which had been got up at a select meeting, and circulated for signatures as the address of the inhabitant householders of the united parishes. It turned out, however, that out of seven or eight thousand houses, only 123 signatures could be obtained to this loyal address. The honourable gentleman produced considerable laughter by reading a list of some of the signatures, containing the names of forty persons holding office. Gentlemen opposite might laugh; but he had no doubt, that it was thought no very laughable matter by the parishioners to see this called, in the public papers, a meeting of the inhabitants of the parish. It was, in fact, no such thing; for none but those in the secret were admitted into the room; and, to prevent any others from intruding, tickets were given to those who were to be admitted. In consequence of the address got up at this secret meeting, a public meeting of the parish was called, at which the present petition was agreed to. Its prayer was, that the House would procure the restoration of her majesty's name to the Liturgy, put her in possession of all her just rights, and bring to condign punishment those infamous and disloyal persons who had sought by nefarious arts to degrade and destroy their lawful Queen. The petitioners also prayed for such a reform in that House as should secure to the people a full, fair, free, and equal representation. The noble lord had said, on a very late occasion, that he could recollect when he could have waded up to the knees in the petitions of the "veteran major," as he termed him. All he could observe on this was, so much the more shame for the noble lord, that petitions should have been allowed to accumulate without effect. But, he would endeavour to recall to the noble lord's mind—if, indeed, it were possible that he could have forgotten the circumstance—that there was a time when the cause of parliamentary reform numbered his lordship among its most eager supporters. The House would excuse him if he referred to a document which he had found lately, in turning over some old reform papers. It was in the shape of a protest or declaration, and was to the following effect: "We declare that we will regularly attend to our duties in parliament, and be guided in our conduct there by the wishes of our constituents; and we pledge ourselves to support a bill to promote reform in parliament; and also a bill to prevent persons receiving pensions from holding seats in the parliament. (Signed) "Edward Ward and Robt. Stewart." It was dated in the year 1792. In what he now said, he had no intention of hurting the feelings of the noble lord; but he did it to show, that before the experience of age had corrected the fervour and rashness of youth, the noble lord was an advocate of those principles which he now so vehemently decried. He did trust, that the House had at length become satisfied that they ought to attend to the wishes of the people; but the noble lord did not know what the wishes of the people were. Now he (Mr. H.) from mingling more with those classes of them which, perhaps, were most unknown to his lordship, could take upon himself to say that there was a general cry throughout the country, which was once the cry of a very great man, the illustrious lord Falkland;—that cry was "peace;" and until the great object of that large part of the population whom the noble lord and other honourable members called by names that were meant to convey some kind of imputation, sometimes "radicals," and at others "reformers only," was accomplished, peace was not likely to prevail throughout the kingdom. He was of opinion, that a reform must at length take place; and it was better that they should grant that to the reiterated prayers of the people, which at some future day must of necessity be effected somehow. It was in vain for the noble lord to manifest his determination to make no such concession; for as Pym once said to the earl of Strafford, after his elevation to the peerage, "Though you, my lord, have left us, we will not leave you, until we have that head off those shoulders." God forbid, that the House should ever hold such a language to the noble lord! but it was surely, well to regard those petitions, which, from all parts of England, prayed for a measure, the necessity of which was not less obvious than its justice. As to the constitution of the House of Commons, he hoped nobody would be of the same opinion as that hon. member for Bodmin, who so happily illustrated it on the preceding night, by saying that the Commons represented the king, the lords, and the people. At that rate, the House of Lords was an entirely useless branch of the legislature, seeing that both they and the king were already represented within those walls. With respect to the king, indeed, the 72 members, who sat there either as ministers of the Crown, or as government officers, represented his majesty very adequately and effectually he would confess; but he believed that there were certain place and pension bills which were supposed to have some effect on the exercise of their privilege of voting. He believed that he might say, that they did not recognise the king's existence in that House; they did not, in form and appearance, recognise him there, excepting through his cabinet ministers; and he doubted whether they had a right to be there, any more than Charles I. had to appear in Mr. Speaker's chair. He again affirmed, that reform must come;—that sort of reform, he meant, which the noble lord supported in 1792. They must concede it. If not, they would have lord Chatham's reform; a reform, with a vengeance, from without. But that it would take place, there could be no doubt; though not, perhaps, so soon as it was imagined by some, or so late as it was anticipated by others. When that time should come, the noble lord could not complain that he had not had ample warning. In the conviction that they must ultimately adopt a radical reform, in fact, he should conclude by moving, "that the petition be brought up."

Lord *Castlereagh* said, he would reply to the extensive appeal of the hon. gentleman on one topic only. It was true that he was, in 1790, an advocate for a Reform of the Irish House of Commons, and the hon. gentleman might be surprised, when he said that, notwithstanding the events of the last 25 years, which had been by no means calculated to encourage the general principle of parliamentary reform, under the circumstances in which the Irish House of Commons then stood, he should again support parliamentary reform. He supported it then on the practical ground that a dissolution of parliament did not produce the same effect in Ireland that it did in England. But when in 1793 the constituents were enlarged by the admission of the Catholics to the right of voting, he had stated that thenceforward he should not vote for any parliamentary reform. This would show how far he was from the hon. gentleman's theory of individual suffrage and annual parliaments.

Sir *J. Newport* said, it was very true that the noble lord continued to advocate a reform until 1793, when he became connected with office, and from that time it was true that he never advocated any reform. There was a speech of the noble lord's recorded in the debates of the Irish parliament, uttered by him in support of a motion brought forward by his revered friend, and the friend of the independence of his country, now deceased, in which the noble lord declared, that if the Irish House of Commons did not attend to the wishes of the people, they would be reformed from without with a vengeance. That parliament did not attend to the wishes of the people, and the noble lord being put into a situation, in which he could play the reformer, reformed it in a truly radical style, for he altogether extinguished its separate existence. The noble lord had severed the Irish parliament from the Irish people, and the parliament fell. This should be a most impressive lesson to the parliament of England. He who led the parliament of Ireland through its degradation to its destruction, now led the parliament of England through the same course towards the same end. "I speak," continued the right hon. baronet, "from conviction. I have watched him from the commencement: and I conscientiously believe, that he gives and has given the most fatal counsels that any nation can adopt. It is my conviction that the noble lord has such impressions on his mind, that his counsels, if they have influence, must drive the nation onward in the career which was pursued in Ireland; and which ended in the debasement of the parliament, the extinction of national independence, and all the subsequent ruin which the loss of independence had brought upon that country."

Lord *Castlereagh* said, that whether the right hon. baronet thought well of him or no, would not break his heart. As to that measure which he had promoted, the union, it must be decided on by posterity, and it might go down for judgment, accompanied with the right hon. baronet's criticism. A more useful member of parliament than the right hon. baronet did not exist, but certainly his irritation hurried him into frequent oblivions of fact, and exhibited him in a manner so little consistent with senatorial dignity. As to the speech which the right hon. baronet had quoted, he did not know where it was to be found; perhaps, in one of those valuable publications in which his conduct was stated, and in which there were comments on what he said or did, to which he was more indifferent than to the remarks of the right hon. baronet. The sort of strain which the right hon. baronet had got into that night, had led him to be very careless as to his statements. The right hon. baronet had said, that he (Lord C.) changed his opinion respecting reform when he went into office, whereas he did not take office in Ireland till five years after he had declared himself against parliamentary reform; for he made his declaration in 1793, and did not take office till late in 1797; so he would leave it to the house to judge of the candour and correctness of the right hon. baronet.

Mr. *Martin*, of Galway, said, he would refer the right hon. baronet to an authority which could not be disputed,—that of the late Mr. Ponsonby. Mr. Ponsonby had declared he would support the cause of parliamentary reform in Ireland, but that on no account would he consent to a reform of the House of Commons in England, which he thought really and truly represented the people.

Sir *F. Blake* presented a similar petition from Berwick-upon-Tweed. He said that in all the statements of the petition he cordially concurred. He would take that opportunity of asking ministers a question; but whether they answered it now, hereafter, or never, was of very little consequence. He trusted he had only to state it to enable the House to see its object. If her majesty's name had stood in the Liturgy at the time the bill of pains and penalties was withdrawn (which by the noble lord had been called, or miscalled, a technical acquittal), would his majesty's ministers, under the circumstances of that acquittal, have advised her majesty's name to be expunged from the Liturgy? If they would have advised that her name should be erased, they would have been counteracting the good effect of withdrawing the bill itself; nay, further, they would have done what nobody scarcely in his senses would have done; but "quem Deus vult perdere, prius dementat." If they would not have advised such erasure, the inconsistency of their conduct was more obvious than ever.

Ordered to lie on the table, and to be printed.

MOTION FOR RESTORING HER MAJESTY'S NAME TO THE LITURGY.] Mr. *John Smith*, in rising to submit the motion of which he had given notice, begged to remind the House that some short time back he had the honour to present a petition from the merchants, bankers, and traders, of London, assembled at the Mansion-house. In that petition they had implored the House to adopt such measures as would restore that peace and tranquillity to the country which were so much wanted. He could now assure the House that he should speak the sentiments, and act upon the wishes, of that most respectable body in coming forward on this occasion; for there was no body of men to whom the peace and tranquillity of the country were more important than to them. In taking the present step, he declared most solemnly that the restoration of peace and tranquillity to the country was his only object. He conceived it his duty to look at past transactions fully and fairly, and he was determined to do so. He begged first to call the attention of the House to that period of the last year when his majesty's ministers had advised the omission of the Queen's name in the Liturgy. At that time, and on several occasions since, he had endeavoured to collect what were the real motives which had induced them to adopt that measure; for this purpose he had listened with attention to every thing which had passed in the House upon the subject. He had, indeed, heard some kind of explanation, and some motives stated, but, up to the present hour, he had not heard any precise reason given. So much had been already said upon the impolicy of that measure, that he did not now feel it necessary to press that further upon the attention of the House. There were, he knew, differences of opinion upon subsequent parts of the proceedings, but he solemnly protested, that he had never met any one who did, under all the circumstances, approve of the measure. He would admit, that it was the wish of his majesty's ministers, that the Queen should remain abroad. That he did not complain of; for he agreed, that if there was any chance whatever of the public tranquillity being interfered with by her return, it would have been better, and he could have wished, that she had remained abroad. But how did it happen, that with this desire on the part of ministers, they should have adopted the only measure which could render it impossible for her to continue abroad any longer? He had heard it said, that ministers were induced to take that step in consequence of the rumours and reports of foreigners and others who were travelling abroad. He himself had heard several rumours and scandalous reports. He had heard some of them in this country, and some of them in Paris; but he could assure the House, that not one of those scandalous rumours which he had so heard formed any part of the accusation which had been subsequently brought against her majesty. From this circumstance, he inferred, that the whole of those reports were unfounded and scandalous fabrications. Now it was hardly necessary to remark, that persons high in rank were often the objects of such scandalous attacks. They heard them not. They were not in the way of hearing them; and thus the most unfounded fabrications were passed into the world without refutation. Therefore, he conceived they ought never to have been made the subject of accusation.

It was not his intention, at present, to travel into the evidence which had been produced on the trial. It was too odious and disgusting to be again introduced, where it could possibly be avoided; but he begged the House would bear with him while he shortly adverted to the bill. It was brought to its last stage, and the third reading was carried, when the noble lord at the head of the administration found that it would not be prudent to press it farther with only a majority of nine. What the noble lord (Liverpool) had said upon that occasion, he could hardly recollect; but he understood it to have been, that he considered the preamble of the bill as fully proved, but that he did not think it would be proper, under the circumstance of having only a majority of nine, to carry it further, and therefore he moved that it should be rejected. In that motion he considered that the noble lord had acted wisely; for how would that House endure to be told, if the bill had come down to them, that such a majority had expressed the sense of the House of Lords, when they considered how that House was constituted, and when it was borne in mind that there were so many who voted for the bill who had an interest in passing it? The noble lord was well aware, that under such circumstances the bill could not be said to have had the sense of the House in its favour, and he therefore abandoned it. Why! of that majority were there not nine individuals who acted in the triple capacity of accusers, jurors, and judges; and surely such a majority could never have been considered sufficient for such a measure.

He would say one or two words upon the opinion of that august tribunal; and he was induced to do so, by having heard doctrines in this House upon the subject, which he conceived in direct contradiction to the plain rules of justice. It was true, that a majority of nine peers had been in favour of the bill; but might he not suppose, that the influence of the Crown had some effect in producing that majority? He begged he might not be understood as meaning to cast any reflection on noble lords in the other House; but he would ask, were there not motives which were calculated to obscure and blind the judgment on many occasions? It was what we observed in every day's experience, that men's judgments were biassed and influenced on the most important questions, by motives which did not bear upon the strict examination of those questions. He would say first, that there was that confidence which many individuals reposed in the government. This might arise in some from the high opinion which they entertained of administration, and might be conscientious. He allowed for this opinion, though he could not concur in it; but certainly the confidence in measures proposed and advocated by government, was calculated to excite, of itself alone, a strong support. Another circumstance which might operate in giving a strong bias to the judgment was, a recollection of great favours conferred, and a natural wish for their continuance. That such a feeling should have a strong operation, no man who studied human nature could deny. As to the first ground, that of confidence in administration, he need not go out of that House for an example of the effects which it was calculated to produce. They saw constantly a number of gentlemen who relied implicitly upon government in every vote; and he believed so much so in some cases as to produce a sacrifice of individual opinions. When such was the fact—and no person could deny it to be the fact—was it not too much to infer the moral guilt of her majesty from the majority which had pronounced upon it? He maintained that assertions of the moral guilt of the Queen, which it had given him pain to hear, founded upon such a conclusion, were absurd and unjust. It could not fairly be said to have been proved, by such a majority. While on the subject of this majority, he was reminded of a circumstance which had once occurred in that House. Some years ago, a gentleman, a member for one of the Scotch boroughs, who was in the habit of supporting the ministers of that day, was drinking up stairs during the discussion of some very important question; being asked how he could give his support to such a measure, he answered, with great *naiveté*—"I never give myself any trouble about these matters; Mr. Pitt thinks for me." [Hear, hear.] He believed that the noble earl at the head of the government, and the noble lord opposite, were so far like Mr. Pitt, that they were frequently allowed to think for many of their supporters. When he recollected this, he could never bring his mind to believe that the majority of nine, or the other majority of four or five-and-twenty, gave any member of that House a right to infer and descant upon the moral guilt of the Queen. In fact, the whole of the proceeding appeared to him to be contrary to the common rules of justice; and yet, day after day he heard in that House of the moral guilt of her majesty! Would such conduct be endured if it were adopted towards other individuals who had been accused, and were acquitted (and acquitted her majesty was to all intents), that they should be afterwards daily accused of the same crime? Warren Hastings had been impeached by that House, and charged with several crimes; after a long trial, he had been acquitted: would it, he asked, be endured, after such acquittal, that any member should get up, accuse him of the plunder of the Begums, or any other of the crimes of which he had before been charged? No doubt it would not; and if such an accusation were made, we should have hon. gentlemen get up in their places to defend the accused? Would any accusations be now endured, if made against lord Melville, who had been impeached by that House, and acquitted. He was certain, that if any such accusations were made, there would be a competition among the noble lord's countrymen in that House as to which should be first to get up and defend his character; and yet, day after day, and hour after hour, they had attacks and accusations of guilt against a woman and a Queen.

With respect to the important, and perhaps the most important part of the question, the legality or illegality of the erasure of her majesty's name from the Liturgy, he would not trouble the House, and he acted upon this principle—not that he had any doubts of the illegality of that measure, for he could solemnly assure the House that he had ever strongly held that opinion, but because he could not hope to discuss that question with that knowledge and professional skill which he had no doubt would be displayed by the hon. and learned gentleman who would do him the honour to second the motion with which he should conclude, and by another hon. and learned gentleman (Mr. Wetherell) whose admirable speech on a former motion gave him so much pleasure—a speech, by the way, which still remained unanswered. [Hear.] That hon. and learned gentleman was well able to defend the doctrines he had then advanced, and no doubt he would ably execute the task. To those and to the other learned gentlemen who might take part in the debate, he would leave the discussion of the question on legal grounds. The only motive which induced him at all to introduce the present motion to the attention of the House (for he could assure the House that it personally was very inconvenient to him in consequence of the state of his health) was, to put an end to the disturbance and distraction which prevailed in the country upon this subject; disturbance and distraction which, in his opinion, could not be appeased until the cause was removed. He had heard it stated by gentlemen on the other side, and certainly the statement excited no inconsiderable degree of surprise, that the public took no great interest in this question. If such a statement were to gain belief in the House, he could hope for very little effect from his present motion. He was astonished to hear such assertions; for if gentlemen would only open their eyes, they must perceive the intense interest with which the public considered the subject, and the intensity of feeling to which it had given rise throughout the whole country. The House were aware that her majesty had received several hundred addresses, signed by several hundreds of thousands of persons, all of whom sympathised with her sufferings, and poured forth earnest prayers for the restoration of her rights. He only mentioned this circumstance as a proof of the universal feeling of the people on the question now before the House. But it was not necessary to call the attention of the House to any other circumstances than those which happened to themselves with reference to the same subject; that had happened to the House on this occasion, which had never before occurred, at least in his memory—petitions had poured in, not merely from towns and villages, but from almost all the great cities and many of the most extensive counties in the kingdom, all breathing one prayer, and that an earnest one, for the restoration of her majesty's name to the Liturgy; all concurring in stating that such a measure only could restore the public tranquillity. Was not this a proof of the universal feeling of the people on this subject? He had witnessed one of the processions to which this subject had given rise. He had seen the countless multitudes who had attended her majesty on her visit to St. Paul's. Never had he seen such an immense assemblage. They were all in a state of perfect quiet and repose. They had by some means been impressed with the idea that any strong expression of their sentiments would be injurious to the object they had in view, and they repressed those feelings which, in every large assemblage, however respectable, were usually displayed. He was one of those who witnessed this immense assemblage, not less remarkable for its numbers than for their excellent conduct; and he thought that if such was the conduct of the people of this country, there was no object which they could not accomplish. If the public attempt to act with violence, they could be repressed; but when such large bodies were assembled and acted under the influence of reason, it was a proof of the great value and importance attached to the object they had in view. With respect to the petitions which had been presented, it should also be considered that there were, on this occasion, petitions not only from those places from which the House was accustomed to receive them on other occasions, but also from places which never before had taken any part in political affairs. When he saw this, he was astonished how any gentleman on the other side could deny that the people took more interest in the question respecting her majesty than they had done on any former occasion. He had also heard with some surprise doctrines which had been urged on the other side. To him at least some of these were new. He had heard it said that though a portion of the public did evince a great interest, and show a strong feeling on the subject of the Queen, yet that they were not the respectable portion of the public—that a great portion of them were persons hostile to government, and anxiously wishing by any means to bring about a change—that they were.——He would not repeat the nick-name which was applied, because he abhorred all nick-names, which, as applied to any portions of the people, were only calculated to excite irritation in the country; but he denied that there was any foundation for such statements. It was not the fact, that only a small, and that not a respectable, portion of the community took an interest in this important question. It was also said that some of the public meetings were composed of that class of persons to which he had alluded; and that gentlemen on his side of the House, were actuated only by interested motives in warmly advocating her majesty's cause. He might remind those who made such assertions, that only a small number of the gentlemen near him could gain by a change of the administration. He and many others must continue to remain in their present mediocrity, whatever change might take place; but he did not make this disclaimer for himself and many of his friends on the ground that there were none of them who would be unwilling to accept of office. He knew there were, and he was glad of it. It would indeed to him be a matter of deep regret to see the day when there should not be found men ambitious of public office, and fit to discharge its important duties. Several of his friends, he was glad to know, were not adverse to a change on this ground; but for himself and many of his hon. friends by whom he was surrounded, they had no such feeling; and if some of his hon. friends were to-day to get into office, he expected, he wished for nothing from them. Still he should be glad to see them enjoy that power of which, he had no doubt, they would make so good a use. He was attached to them because he had ever found them the able advocates for the best interests of the country. He had seen them endeavour to gain for this country one of the greatest blessings—one which, in point of importance, was only second to the glorious Revolution. They had endeavoured to promote civil and religious liberty—they had endeavoured to do away with that bigotry which had caused more disaster, and the effusion of more blood, than almost any other evil to which a state was liable—they were shipwrecked in the attempt, and they lost their places by their honesty, but they had not lost, and could not lose, the admiration and affections of their country, which would ever preserve the recollection of the liberal and enlightened policy on which they had acted.

But to revert to the subject of the respectability of those who evinced a strong feeling on the present occasion, he could assure those hon. gentlemen who seemed to have a doubt on the subject, that the meeting to which he had alluded in the outset of his speech, was most respectable. He could also assure them that, to his own knowledge, some of the county meetings were highly respectable, and he had no doubt they were all so. He spoke their sentiments on the present occasion, and not only theirs, but he was convinced, the sentiments of the great majority of the people of England. Believing then, as he firmly did, from the irritation which had already prevailed upon this question, that universal disappointment and discontent would be the result, if the motion which he should submit were rejected, he did earnestly implore his majesty's government to give it their most serious attention; for he felt convinced that the country would not be tranquil until this question was satisfactorily set at rest, and that he was sure could never be the case while her majesty was excluded from the Liturgy. He had heard it said, that the noble lord (Castlereagh) had stated that he could not continue to hold office if the House should agree to the insertion of her majesty's name. If the noble lord had been so imprudent as to make such a declaration, that did not pledge the House. But he could not think that if the House agreed to his motion it would endanger the noble lord's place: on the contrary, he thought it would then be much more secure; the noble lord need have no fear from any party at that side of the House, provided he became instrumental in restoring tranquillity to the country.

Now, assuming, as he thought he might fairly do, that the tranquillity of the country would be further endangered by the refusal of this motion, he begged to ask the noble lord whether he was prepared to say, that the country was in such a state as that it could safely bear additional subject of irritation. Let the noble lord look at the subjects of dissatisfaction which existed from other causes. Let him look at the state of the agriculturists! He (Mr. Smith) was not among those who thought that agriculture was in a state of absolute ruin; but he admitted that those engaged in it were reduced to a state of very great distress; and he knew, from many farmers, that they were suffering the greatest calamities. Then, he asked, was it worth while to insult persons so depressed, by paying no attention to the prayers which they had so earnestly addressed to the legislature on the question before the house? Then let the noble lord look at the state of commerce. Here again he would say, that he did not think there was ground for despair, but beyond all question it was extremely low and distressed. Then look at the internal policy of the country. Could it be said that we were upon a bed of roses? Did not some of the most eminent men hold opinions strongly differing from that which was now pursued? Were there no other questions to require the utmost attention of parliament? Were there not the Poor laws demanding immediate attention, and requiring, when they should be considered, all the patient feeling and all the good sense that could be called into action? He should be glad too, if they could be quite sure that our foreign policy would not call for serious and deep attention. They had been told by the noble lord, that peace would continue to be preserved so far as this country was concerned: but it was obvious that two principles now existed, and were likely to continue a conflict throughout Europe;—a good principle and a bad principle—a principle of liberty and a principle of slavery. He doubted not, that ultimately the good principle would become prevalent: but who could say that this country could avoid being involved in confusion and conflict during the struggle? Would the noble lord say that it might not become the fate of this country to stand in the breach between civilized society and the slavery of barbarians? When those and similar subjects pressed upon their consideration, and required all the good sense, all the good humour, all the deliberate attention which parliament could bestow, nothing could be worse policy than to keep the country agitated when good humour was so necessary, both in parliament, and among the people. The processions, parades, addresses, meetings, disturbances, such as had been already so striking and so frequent, would continue and increase, till his majesty's ministers should accede to the universal wish of the nation. He had very little more to add, but to express the earnest prayer of his heart, that the Queen's name might be restored to the place in the Liturgy, which belonged to her, and that the whole kingdom might be rescued from the agitation which convulsed it, and restored to peace and good feeling. The hon. member, who had been listened to throughout with the deepest attention, concluded by moving "that this House, having taken into its consideration the circumstance of her majesty the Queen's name not being inserted in the collects, prayers, and litanies of the church; and also the numerous petitions from the people, addressed to this House, complaining thereof, is of opinion, that under all existing circumstances, it is highly expedient that her majesty's name should be inserted in the said collects, prayers, and litanies, and that such a measure would greatly tend to remove the discontents that exist on that subject in the public mind."

Mr. *Tennyson,* in rising to second the motion, declared that he found himself impelled to do so by the strongest and most decisive impressions, and by an anxiety to discharge a correspondent duty to the Crown and the country. The subject before the House was one of extreme interest, involving moral and political consequences of no ordinary nature, and in no ordinary degree. It had, indeed, been so ably brought forward by his hon. friend who preceded him, that much of what he might otherwise have been disposed to address to the House, would now be withheld. He should abstain also from travelling over those extensive and important grounds, which, on a former occasion, were so effectually taken by his hon. and learned friend, the member for Oxford (Mr. Wetherell), in a speech which would never be forgotten by those who had the pleasure and advantage of hearing it. The inferences which his hon. and learned friend had then so conclusively drawn from the various Acts of Uniformity, and the limitation of the royal supremacy, which he had made so apparent with regard to the established form of Common Prayer, required no farther enforcement.

Nothing, indeed, could be more clear, than that, although the king was undoubted head of the church, both by common law and by statute, yet that in spiritual as well as in temporal matters, he was bound by the statutes of the realm. This he conceived to be the language of the constitution, and a proposition against which the gentlemen opposite would not venture to contend. He should pass on, therefore, to the last Act of Uniformity, the statute of the 13th and 14th Charles 2nd, containing the clause which had occasioned so much discussion. By this act, the form of prayer annexed to, and constituting part of it, was enforced by the old penalties, as that which should thenceforth be exclusively used. The effect of which was, that if the king had promulgated any other form of prayer, or made alterations in this, without the sanction of parliament, any clergyman adopting it, would expose himself to those penalties. When, therefore, all was so strictly barred against any interference on the part of the Crown, it naturally occurred to the framers of the act, that events and circumstances would arise in the royal family,—marriages, births, and deaths,—requiring alteration from time to time in the prayers, litanies, and collects, which related to the king, queen, and royal progeny. For this purpose an express clause was deemed necessary, by which it was "provided and enacted, that in all those prayers, litanies, and collects, which do in any way relate to the king, queen, or royal progeny, the names be" (not, "may be," but "be") "altered and changed from time to time, and fitted to the present occasion, according to the direction of lawful authority." This clause had no appearance of a reservation by way of caution, of a right in the Crown which it might have retained without it,—it was not in the nature of a saving clause,—it was a clause assuming to enable, and not merely enabling, but directing the king and privy council to do, from time to time, certain acts. The necessity for such a clause proved, that without it, the king would have had no authority in this matter,—that such authority on the subject as he now had, was derived under it,—and that the exercise of that authority must be conformable to its terms. In point of fact, every Order in Council on the subject, since the statute, had recited this clause, and professed to act by virtue of the authority it bestowed.

Before he made any farther observations on the construction of the clause in question, he would entreat the House to bear in mind, that at the date of the statute, of which it was part, the usage of praying for the Queen-Consort,—and that distinctly and by name,—was fully established. There was no instance of omission from the time of the Reformation. There had been no married king since that period, whose consort had not had the benefit of the prayers of the church *nominatim*. So confirmed was this usage, that it was recognized and corroborated by one of those canons of the church which were promulgated in 1603, the year of the accession of James 1st. With respect to these canons, he would appeal to the learned civilians in the House, whether they were not now completely binding upon the church, and whether their observance by its ministers might not now be enforced. There was no doubt of this; but he referred to them at present for another purpose. By the 55th canon, it was ordained, that "before all sermons, lectures, and homilies, the ministers should move the people to pray to this effect: 'Ye 'shall pray for Christ's holy catholic 'church, &c., and I require you most 'especially to pray for the king's most 'excellent majesty, our sovereign lord 'James, king of England, &c. Ye shall 'also pray for our gracious queen Anne, 'the noble prince Henry, and the rest of 'the king and queen's royal issue.'" With this settled precedent-usage, it could not occur to the framers of the act of Charles 2nd, to explain elaborately that the word "Queen," in that part of it under consideration, was intended to designate the Queen-Consort, as it unquestionably did, though some had thrown out doubts even on this point,—or that she must be prayed for by name. She had always been so prayed for, and she is in the act distinctively mentioned for that purpose. The words "king, queen, and royal progeny," were evidently adopted into the act from liturgies which had for a long period been in use, where they occurred in the same sequence, and with the practical application for which he contended. There was also an historical fact coincident with this statute, which might be deemed material to illustrate its meaning with respect to the matter before the House. King Charles 2nd was then on the point of marriage, and it so happened that upon the very day on which this act was passed, the 19th of May, 1662, Catherine of Portugal, his betrothed queen, arrived in England. This event was mentioned by all the historians, and referred to by sir Edward Turner, then Speaker of the Commons, in the speech which he addressed to the throne from the bar of the Lords, when in attendance there to hear the royal assent given to this very act of parliament.* Two days afterwards, Charles and Catherine were married, and it could not be doubted that the framers of the clause in question, had contemplated this projected alliance, and that the intended consort of Charles 2nd, was one of its more immediate objects. In point of fact, immediately after the marriage, the name of queen Catherine was inserted in the Liturgy, pursuant to the terms of this clause; and since that period, until the accession of his present majesty, the name of every queen consort had occupied the same position.

He was of course aware of the exception so much insisted on by the gentlemen opposite on a former night, and he would yield to them the whole benefit of that exception. It had been effectually disposed of by the hon. and learned member for Knaresborough (sir James Mackintosh), and others. There was every ground for supposing that George 1st was in fact divorced from Sophia Dorothea, before he ascended the British throne. But the noble lord opposite (lord Castlereagh), with all the Hanoverian archives at his command, and with that laudable anxiety, which, throughout the late transactions, had characterized the conduct of ministers, to ascertain beforehand how far the grounds they were about to take were tenable, was doubtless prepared to inform the House how the fact really stood. If the general impression of historians, that George 1st had contracted a left-handed marriage with the duchess of Kendal, were correct, he must have been previously divorced, because, according to the laws of Germany, such a marriage would not otherwise have been valid, and he would not have ventured upon it. It was enough, however, for the present purpose, that the unfortunate Sophia Dorothea was never known or recognized as queen consort in this country. When she died, the king did not even go into mourning, and the event was not mentioned in the Gazette of that day.

---

* See New Parliamentary Hist. Vol. 4, p. 244.

But it had been contended, he believed, by his hon. and learned friend the solicitor-general, that because in the Liturgy appended to the statute, blanks were left for the names and persons in the prayers, litanies, and collects, which had uniformly been devoted to the Queen-consort by name, and to the royal progeny, a full discretion devolved upon the Crown to supply those blanks as it might think proper. But the clause to which he had adverted, recognized these as prayers for the queen-consort and royal progeny, and therefore, when the blanks were supplied, they must be in part devoted to the queen-consort, when there was a queen consort in existence. If, in point of fact, the Liturgy did provide prayers, litanies, and collects, for the queen-consort and royal progeny, as this clause stated that it did when it made a provision respecting such prayers, &c., as related to them—could any power be found to enable the king and council to destroy their effect? On the contrary, the king and council were simply enabled, and in the same breath directed to give them, from time to time, full effect and operation, by providing for contingencies. The words imparted no discretion, but were clearly imperative. It was not provided that the king *might* make any alterations from time to time, but that alterations *be* made so as to fit these prayers, &c. to the occasion. There was no power to omit or insert at pleasure, any of the existing personages for whom prayers were so provided, but a direction to alter the names, merely, of those personages, and that, not according to fancy or caprice, affection or prejudice, but so as to fit them to the present occasion,—to accommodate them to the actual existing fact. But could it be said, that a prayer designed for the queen-consort was fitted to the present occasion, if, contrary to the words of the statute where she is specified as one of the objects,—contrary to the usage at the time of the statute, as well as before and since,—the name of the queen-consort were omitted?

With respect to the subterfuge,—for subterfuge it was,—that her majesty was virtually prayed for under the general term "royal family,"—he denied that there was any power in the act to use that term, except as a denomination for the royal progeny in its limited or extended sense, and in no other sense had it ever been used, as might be seen by reference to the orders in council on the table of the House. There were prayers for three distinct classes—king, queen, and royal progeny. They must have distinct denominations, and so they had ever had till the present moment. The term "progeny," admitted either of a general denomination, or of a particular selection, accompanied by a sweeping addition, such as "and all the royal issue," "progeny," or "family." The usage had been such both before and since the statute, and that usage had also supported either a sense of the word "progeny," limited to the issue of the existing king and queen, or a sense extended to the issue also of former kings of England. If, therefore, it were a question respecting the omissions of the duke of Cumberland, or Frederic prince of Wales, so much insisted upon in a former debate, it would be a satisfactory answer, that they were prayed for under the denomination of "royal family," and that they had no right to insist on a more specific designation; but as the only legal sense of that term in these prayers was, "royal progeny," it was absurd to say, that it included the Queen-consort, unless there was a subterfuge within a subterfuge, and it was to be contended that it included her, because, in this instance, she happened to be royal progeny, in the extended sense of that term. Unquestionably she was not prayed for as Queen-Consort under the term "royal family," in the sense in which it had always been used, and could only be received and construed in these prayers, and thus it was superabundantly manifest, that she ought to be prayed for as such specifically. She was one of the personages specified in the act, whose names were to be constantly adapted to the individuals so as to render these prayers specific: the words were clear to this effect, and if the slightest doubt could exist upon them, the constant usage before the statute of Charles 2nd, must be taken as governing their construction, and the constant usage since that statute, must be taken as expounding them.

If the true construction were that which he had thus pressed upon the consideration of the House, the Order in Council of February last, had done no less than dispense with a solemn statute. When a statute enjoined any act upon the king and privy council, and the injunction was not complied with, it could not be said that the statute was violated; because, as the act of the king was mixed up with the act of the council, that form of speech would conflict with the invaluable constitutional maxim, that "the king could do no wrong." But to disregard such an injunction, was to dispense with the statute. If he could not, therefore, call it a wrong before the law, it was a violent constitutional wrong. He knew not from what period the privy council had furnished themselves with a precedent on this occasion. He had found none, except such as occurred in times from which he concluded that ministers, even in their present and late dispositions, would scarcely wish to be supposed to derive their sanctions. In December, 1662, indeed, Charles 2nd issued a declaration dispensing with this very Act of Uniformity which he had been discussing. The Commons of that day humbly represented to the king, the inconveniences which would result from such a step, and his majesty thought fit to abandon the declaration. Here was a precedent;—and as ministers had acted upon it in part, he hoped they would completely conform to it by now abandoning the Order they had so unadvisedly made. In 1672, Charles relapsed into his former error; he issued a new declaration of the same description. The Commons of 1673 remonstrated, and the king again yielded. On that occasion, said the historian, "the king sent for the declaration, and broke the seals with his own hands; the Commons expressed the utmost satisfaction with this measure, and the most entire duty to his majesty." He would not pursue the subject through the eventful and inauspicious reign of James 2nd; but if the noble lord and his colleagues would abandon that crooked and perverted policy by which they had been actuated throughout the late most unconstitutional and, he was compelled to add, most disgraceful proceedings, and would rescind the fatal order of February last,—a sentiment similar to that which was expressed by the Commons of 1673, would now extend itself to all classes of the people; the ministers themselves might then possibly participate in the just popularity which he trusted would constantly attend upon their royal master, and which by such a step would be heightened into that enthusiastic affection, to which, personally, he was so well entitled.

Under any view of this subject which ministers might please to take, they could not consider it illegal to insert the Queen's name in the Liturgy. He was persuaded also that they must at least entertain grave doubts upon the law, and perceive that others might reasonably be influenced by them, to adopt the opinion which he had formed. When, indeed, he was willing to suppose that they had doubts, he could not go farther; he could not believe that they deemed the law to be clearly in their favour. He felt sure that they did not. However this might be, a great body of the people would remain persuaded, that a statute had been violated and treated with contempt, and a vast majority of those who would not undertake to form an opinion respecting the law,—on general grounds, condemned the omission.—Under such circumstances, what could be the imaginable object of ministers, when they persisted in a measure so loudly complained of? Was it to satisfy any abstract notions which they might entertain of criminal or moral justice? If so, was it to be endured that they should thus presume to carve for themselves, by refusing obedience to the voice of the law, or at least by willingly, if not wilfully, lending themselves to a gross perversion of its plainest injunctions?—Failing to obtain the desired verdict from the jury, to which, at their own time, after their own manner, in opposition to public feeling and to the protests of the illustrious accused, they had elected to refer their case against her majesty,—was it not repugnant to the very elements of universal justice, that they should now resort to collateral means for inflicting a punishment,—for a punishment it was, and as such it was designed,—which must appear to be the deliberate result of those irritated and vindictive feelings which discomfiture too frequently produced? The country at large did, in fact, consider this as an insult and an injury, proceeding from the dictates of disappointed vengeance.—What might not be seriously apprehended as the effects of such an example upon the morals and conduct of the people! What insubordination—what breaches of and deviations from the law—what contempt of judicial decision—what resistance even, to the most solemn judgments of the highest tribunals in the land! God forbid that such example should be productive of consequences so fatal to the country! God forbid that the misconduct of the government should induce the people to fall into their path! Let the House at least avoid it. They only knew that the King had a Royal consort;—and if, in considering what was due to her they had any view to those atrocious calumnies—for such they were only at liberty to consider them—to those abortive charges—for such, in fact, they were—which had been levelled against the Queen, it should only be to compensate her majesty for the pain, the sufferings, to which they were now bound to assume she had been unjustly exposed. All that the House knew was, that her majesty's royal predecessors, for three hundred years, had constantly had the benefit of the prayers of the church;—that prayers were provided for her by statute; that there was a ministerial hand to insert her name, and if that hand refused the office, that a statute was dispensed with. At any rate, they knew that the law could not be violated by this insertion—it might be necessary in order to preserve the integrity of the law,—and the public tranquillity might depend upon it. If, at the risk of public tranquillity, his majesty's ministers continued to insist on the propriety of their perverted views on this subject, under the idle imagination,—the vain illusion,—that pertinacity in error was firmness and consistency; and that they were thus maintaining their own reputation and the dignity of the Crown: should the House of Commons lend itself to absurdities so culpable,—so fatal,—at the expense of justice, at the expense of decency, if not also at the expense, as in his judgment it clearly was, of the Queen's lawful rights, and of that constitution, of which they were the especial guardians? Would they not better discharge their duty to the King as well as to the country, by adopting the resolution which his hon. friend had recommended, and founding upon it an humble address, with which, in the language of faithful, truly loyal, and affectionate subjects, they might approach the throne, and respectfully entreat his majesty to remove the existing cause of public dissatisfaction.

His majesty's patriotic sentiments were too well and too generally known, to leave it for one moment in doubt that he was grossly deceived in this matter. He did not mean to insinuate that his ministers deceived him intentionally; they were themselves deluded. He firmly believed that of those who heard him, there were very few who did not entertain this opinion; indeed, it was known that there was scarcely one who did not deplore the original ungracious omission of her majesty's name. He would ask those who concurred in this feeling, whether, in case that omission had never taken place, they would now, after the recent termination and abandonment of all proceedings against the Queen, desire to erase her name from the Liturgy. If they would, it was clear that they regretted the original omission, merely, because it precluded them from now inflicting upon her majesty a more decisive insult—a keener mortification. If they would not, under such circumstances, have desired the present erasure of her name,—then, deploring as they professed the original exclusion, he would ask them by what chain of casuistry they concluded by approving the continuance of that exclusion? Had not the peace of the country been already too long sacrificed,—the mind of the people too long distracted,—the Queen sufficiently agitated and tortured,—parliament and the ministers too long devoted to these exclusive objects? Would the ministers resolve to continue these evils, for continue they must, session after session, until either they receded or were forcibly driven from the supercilious position which they now ventured to occupy? The apology to the House for this omission, in the first instance, was, that if the Queen's name were inserted, and the proceedings terminated adversely to her majesty, the King would be exposed to the painful duty of erasing it. This implied and admitted the propriety of insertion in the event which has since occurred;—consistently with such admission, the insertion should have been made immediately after that event;—to abstain from making it with a view to permanent exclusion, was, in effect, to erase,—without the justification of that public duty which had been represented as so afflicting to discharge. Ministers, therefore, were now driven either to maintain that the Queen had been effectually convicted, or to admit that they had dealt disingenuously with the House, when the omission was first complained of.

Before he sat down, he would conjure the House to deal gravely with this matter.—It involved not merely questions of feeling, decency, and immediate expediency, but legal points—constitutional principles, of the first magnitude—of the most interesting importance. If to some it should appear nothing to act in contravention of the motive originally and exclusively assigned for this omission;—if it were nothing to deal with the acquitted as with the convicted;—if some could bring themselves, in defiance of that acquittal, to hold up the Queen to foreign countries, where they profess to wish she should reside, as interdicted—excommunicated;—to placard her, in effect, in every church in Britain; to libel her, negatively at least, on every Prayer-book in the land, and thus to mingle political considerations and malignant passions with religious feelings, and abate the fervour of those prayers which ought to be devoutly offered up for the king;—if it were unimportant to treat prayers as an idle compliment, or to treat the Queen, for such was the only alternative, as unworthy of salvation:—if all this were nothing, yet it would undoubtedly be something to ensure the continuance of those commotions, whether moral or physical, which had so long agitated and distracted the country; it were something to risk a secession from the national church—an evil, the progress of which they had long deplored, and which, it appeared, from the statements made, and the petitions presented to the House that evening, was increasing from this cause. It must be important to arrive at a correct and just decision, whether, in fact, his majesty's ministers had either ignorantly, or advisedly, dispensed with a solemn statute; and to determine whether, in one case or in the other, they should now, in oblivion of some of the most important passages of our history, concede to the Crown so important a prerogative. The question was also, whether they should give permanence to that conviction which their late proceedings had so extensively produced, that no community of feeling remained between that House and the country at large; or, what was a still more dangerous impression, that, although community of feeling might exist, there was no community or sympathy of action. The people were looking to the division of this night, as that which would, in their judgment, decide whether, in point of fact, the noble lord and his colleagues retained within their grasp the Laws and the Constitution of England.—This might be considered strong language, at least from him, but the time was at length arrived when he believed it to be seasonable. It was at least the language of sincerity and strong conviction, and language to which he found himself under an obligation to resort on so important an occasion, in the discharge of those high and sacred duties which he owed to his constituents, to the sovereign, and the country.

Mr. *Legge* considered the erasure of her majesty's name from the Liturgy both ill-advised and inexpedient, although he was by no means disposed to concede that there was any force in the argument, that it was impossible to retain her majesty's name in the Liturgy, and yet institute the proceedings against her which had lately taken place. He did not see that there could have been any inconsistency in adopting such a line of conduct. The retaining her name was consistent with the custom which had so generally prevailed for years, and he did not imagine that its remaining in the place in which custom had assigned it, would have the effect of prejudging her case, or have created any strong prejudice in favour of her innocence, in the event of its being necessary to commence a criminatory proceeding against her. On the contrary, he was convinced that her exclusion from the Liturgy had created her a host of advocates out of doors, and some within that House. As to the Queen's right to have her name inserted, he thought it would be most inopportunely argued at present, after the able legal authorities which had been heard at length on that branch of the question. He might, perhaps, be disposed to say, that the omission was not in itself illegal; but he was at the same time not disposed to agree with those who insisted that her majesty was not prayed for by virtue of her being included in that general prayer for the royal family. He professed that he himself was actuated by no party feeling in the avowal of his sentiments on that occasion, and he thought that no man, except he was actuated by party motives, could for a moment imagine that any set of men would, in the nineteenth century, go so far back to seek an example in the sanguinary history of the dark ages, as to fabricate documents, and suborn evidence to overwhelm and condemn an innocent woman. He should ground his opposition to the motion of the hon. member upon the too celebrated Letter of her majesty to the king, and the answers she had given to the various addresses presented to her. It mattered not whether she herself in the one case violated the respect which was due to the sovereign, or in the other case endeavoured to excite those whom she denominated her subjects to sedition and an absolute contempt of the laws and all constituted authorities. She was in both cases equally culpable. Those extraordinary specimens of the unbridled licentiousness and daring of the age were now numerous enough to fill two large volumes, and were in that shape again to be put into circulation for the worst purposes. However, in the outset of the affair, she might plead irritation of feeling at the unexpected turn which things had taken, it was now impossible, that any allowance could be extended to her for her reiterated appeals to the worst feelings of the populace, for her attempts to revile the conduct and sacred person of the sovereign, and for her pertinacious attempts of late to set the people in hostile array against both the Houses of Parliament, If her majesty's name had never been erased, but continued at this moment in the Liturgy, these publications alone would, in his mind, be a sufficient cause to induce his majesty's ministers to advise its erasure. He should therefore oppose the motion, because he was convinced it could not but be against the feeling of the House to carry up to the Throne an address, which, whilst it must be derogatory to the interests of the Crown, must inevitably prove injurious to the best interests of the country.

Mr. *Wynn* began by observing, that it had been his intention to address the House at an earlier period of these discussions, but having failed to catch the attention of the chair, he had still the satisfaction to find that his view of the question had been completely taken and illustrated in the luminous and able speech of the right hon. member for the University of Oxford (Mr. Peel.) Little remained for him on this occasion but to express his concurrence with the sentiments of that right hon. gentleman; and notwithstanding that he saw much to lament in the course of proceeding which had been adopted with regard to the Queen, he could not, in contemplating it as a whole, admit that it called for any formal parliamentary notice. He agreed with the hon. and learned gentleman in regretting the original erasure of her majesty's name from the accustomed form of prayer. Had it been inserted, its insertion would have been considered as a matter of course, and the subsequent inquiry might have been prosecuted without any prejudice to it, arising from this cause. The refusal of a ship of war to convey the Queen to this country was also matter of regret, and he could not but lament as improper, that the death of his late majesty had not been notified to her, and, above all, that no notification had been made to her relative to the death of her own daughter. This was a cruel and gratuitous outrage upon the feelings of a mother, which would never have happened in a private family, whatever the conduct of the mother might have been. The effect of the present motion, however, would be, to cause the re-insertion of her majesty's name in the Liturgy: and, without going at large into the argument on that subject, he must say at once, that he could not understand the force of that reasoning which gave to the Act of Uniformity an imperative character. It was urged, indeed, that the only ground or excuse for making a change in the Liturgy, was a proviso in which the words "from time to time" were introduced; but in looking at the copy annexed to the act itself, he found only a blank, which might have been filled up in any way. Three precedents only had been adduced in support of the Queen's legal title, those of Henry 8th, with respect to one of his wives, of James 1st, and of Charles 1st. Such precedents were, however, hardly sufficient to make out a common law right, or any right that was equivalent to it. In one instance the name of the elector palatine, and in another, that of the princess Sophia had been introduced; the latter second cousin to queen Anne indeed, but neither of them answering to the description of "royal progeny." It was remarkable, too, that both Houses of Parliament addressed queen Anne upon the latter case, and expressed their thanks; thus intimating that it was not a matter of right, but of grace and favour. Some doubts had, indeed, probably arisen, whether the Queen had not committed some excess of authority by this introduction of the princess Sophia's name. But he must here ask, whether there was not an open and regular mode by which a question of this kind might be decided. With regard to what had been said as to taking the opinions of the judges, he certainly felt happy that they had not been applied to on this occasion. He could not admit, that the ministers of the Crown were justified in obtaining their opinions on questions which they might have afterwards to decide in a more regular form, True it was, that they usually required the attendance of the attorney and solicitor-general, but no counsel was heard on the opposite side, and such a decision could not therefore be considered as judicial. Recurring, however, to the immediate question before them, he confessed that he could not consider it advisable to address the Crown with regard to the exercise of its prerogatives, except in some glaring and flagrant case. At the same time, when he adverted to the Queen's conduct, or rather to the conduct which she had been advised to pursue, it did not appear to him to be of that nature which ought to induce them to call upon his majesty to perform an especial act of grace and favour. He had been told, indeed, that the Queen was acquitted; and that she ought to be considered in the same light as any other individual in whose favour a verdict of "not Guilty" had been pronounced. He was himself willing to look at the case as if the bill had been thrown out. He would grant to her every clear legal right; but when grace and favour were applied for, he was free to exercise his own private opinion. The House could not have forgotten the recent instance of the duke of Cumberland, to whom the refusal of the same allowance granted to the other branches of the royal family was unjust, upon the principle contended for, because nothing had been proved at that time against him; but the disapprobation of her late majesty of his marriage, and other circumstances equally well known, had made an impression upon the House, and the allowance was refused. The present was an exactly similar case in that respect; and in forming his mind as to the expediency or propriety of now addressing the Crown, every hon. member was at liberty to act upon his own inferences and opinion. His own persuasion was, that whether or not sufficient had been proved in another place to show that her majesty was unfit to fill her exalted station, or whether she was so proved in any other indirect manner, her avowed conduct subsequently, the reviling and opprobrium which she had been advised to cast upon all the institutions of the country had rendered her unfit to be pointed out as an object of grace and favour. The result of the fullest consideration which he had been able to give this subject was, that the original omission was unwise, although not illegal; and that after what had occurred, and under all the present circumstances, it would not be advisable to address his majesty for the purpose of supplying that omission.

Mr. *Wilberforce* said, that every thing which had happened since the period when he first delivered his sentiments to the House on this important subject, had tended to confirm the opinions which he then entertained. Under the circumstances in which the House was placed, it now became necessary to express a deliberate opinion, and as he had had no opportunity of delivering his sentiments the other night, he must now declare, that they were, in the main, the same as those which had been just expressed by his hon. and learned friend below him. Whatever his opinions might be upon particular parts of the case, he could not but thing, that, looking to the whole of the conduct of his majesty's ministers, there was nothing which called for the condemnation of the House or the country. The ministers had been placed in a situation of extreme difficulty; they had only a choice of evils before them, and if they had erred in making that choice, their error should in fairness be regarded as an error of judgment, and ought not to be imputed to incapacity, and still less to want of integrity. He had now, however, something different in contemplation: he wished to take a practical view of the subject as the best mode by which they could now arrive at a satisfactory conclusion. Intending to treat the question in this manner, he must, in the first instance, examine the objections which had been raised on both sides, to the course of proceeding to which each was respectively opposed. If the only doubt existing on the subject was that which involved the legality of omitting her majesty's name, he should not deem it of very high importance, and, after all he had heard, should be disposed to leave the question where he found it, in what had been called "the glorious uncertainty of the law." Let it not, however, be imagined, that he had not heard with pleasure and admiration the speech of an hon. and learned gentleman (Mr. Wetherell) on a former night. For a time, the reasoning of that speech produced a great effect upon his mind; but when he came to reflect further upon it, his doubts returned; and whether the original omission was legal or illegal, the question was now to be regarded under another aspect. He felt deeply the force of those considerations which had been pressed on the attention of the House by his hon. and learned friend (Mr. H. Legge), and could not but think, that her majesty, in adopting sentiments so unlike the tone and language which she had used in replying to the address of that House, had shown none of the respect due to the constitution, and to the established laws of the country. Whatever excuse he might be ready to make, still it must be admitted, that the reiteration of such sentiments went to violate the constitution, and were as injurious to the public as they were dishonourable to herself. At the same time it ought not to be considered, that the fault was so much that of the Queen as her advisers; and he had felt some surprise, that those who had printed her Letter to the king, or perhaps some other documents, had not incurred the animadversion of the law. When he supported the motion, he supported it, therefore, for the sake of the country, and for no other reason. He looked to the effect which was to be produced on the bulk of the middle and lower classes, who were at present left open to the assaults and seductions of mischievous men, who lost no opportunity of creating public confusion. The question generally asked was, why should not things be restored to their former situation? That they were not so restored was attributed to some evil design; and this belief was carefully inculcated. He was aware that public men sometimes thought it necessary to make a stand upon particular questions, and rashly declared amongst themselves a determination to that effect; but he never had known a subject on which it was less their interest or their duty to enter into such an engagement. If concession were to lead to many subsequent measures, if it were germinant and was necessarily to produce many branches, if it was the beginning of a course that might lead to an uncertain issue, he should clearly understand the force of their objections. On the contrary, however, the act required was simple, and led to no further consequences: it promised also to put an end to discussions, in which he had found some of the best and ablest men at variance. He must here persist, although it might appear singular, or again expose him to derision, in the opinion which he had formerly expressed as to her majesty being already prayed for under the general title of "all the royal family." As this might be regarded as a quibble by some persons, he should not further advert to it; and returning to the general impression, he thought it impossible that any hon. member could have failed to observe, that a very common remark amongst the people was, "if the Queen is bad, there is the more reason to pray for her." This might serve to illustrate what was undoubtedly true, that the goodness or badness of individual character ought not to influence the admission or exclusion of names from the Liturgy. If questions of this kind were always to be tried by that test, the inconvenience and uncertainty would soon become obvious. Should it be necessary to mark the sense entertained of any impropriety or misconduct, it might be done in some other way, as, for example, by a diminution of allowance. The people now found, that her majesty was restored to all the prerogatives of Queen, and could not feel satisfied that she ought at the same time to be excluded from their prayers. This exclusion was a most unhappy circumstance in another respect, fearing as he did that it had been the means of introducing a political feeling into the church. Every religious man had before been in the habit of consoling himself with the reflection, that there was at least one day in the week when he might forget all his low and vulgar cares, and when he might dismiss from his mind the animosities which disturbed the course of human life. It was a day when the elements of discord should be at rest, and when every recollection that might tend to create disunion, or excite jarring sentiments, should, if possible, be avoided. True, it might be said, that to restore her majesty's name to the Liturgy would now produce the same effect, because it would amount to the triumph of one party; but he must take leave to say, that those who would triumph on such an occasion, were not amongst the chief frequenters of our churches. The latter did not always regard every act of the Crown as the act of its advisers, although this was the constitutional principle, and although he himself felt satisfied that if his majesty did know the general sentiment, or the satisfaction which might be communicated to the great body of his subjects by the measure, he would wish for its immediate adoption. Of all the considerations, therefore, which influenced the opinion that he had formed, that of the effect produced by the exclusion of her majesty's name on the popular mind was the most operative. The omission was brought under public notice every Sunday, and the wound which might otherwise be healed was kept in a state of continued irritation. Such an effect could not but be prejudicial to our church establishment at a time when there were but too many causes at work for its overthrow—at a time when so many mischievous men were industriously employing every means for the destruction both of our religious and civil constitution. He had been informed that the Queen, whilst excluded from the prayers of the established church, was prayed for in most of the Methodist chapels. Nothing, in short, seemed so well calculated as the present state of things, for bringing into disrespect and contempt an ecclesiastical system, sealed with the blood of martyrs, and from which the dissenters themselves had derived all the advantages which they enjoyed. He would, therefore, guard and cherish, with redoubled earnestness, what was so sacred in itself, and was now threatened by so many dangers. Those dangers were rendered formidable, both by the pressure of the times and the unceasing efforts made by the malicious to estrange the present generation from the religion of their forefathers. True justice, true dignity, and true magnanimity, did not, in his opinion, consist in resolutely adhering to a measure, because it had been once adopted. If its abandonment was likely to confer a substantial benefit on the country, it became a magnanimous as well as an honest man to sacrifice his own opinion to the general interest. Let not the House conceive, let not any honourable member conceive, that to yield to the present motion was to declare a belief of the innocence of the Queen. With him (Mr. W.) the innocence or guilt of her majesty weighed not a feather. Independently of any feeling upon that point, he would vote for the motion, because he thought that its success would go to tranquillize the country: if it would not at once restore peace and harmony to the kingdom, it would at least remove one cause of discontent—one cause perhaps of many, but certainly a cause of very considerable weight. Perhaps the feeling upon which he had acted during so many years, a feeling the advantage of which he had never yet found cause to doubt; perhaps that feeling might impress his mind more powerfully than it would affect the minds of those whom he was addressing; but he would vote for the motion of his hon. relation, if it were only that the motion was framed in a pacific spirit, that it tended to heal the wounds under which the country was suffering. Never, perhaps, had the House been in more danger of opposing itself to public opinion than in the present case: never, perhaps, could the country with more advantage advert to the principle adopted by Mr. Pitt, when, finding the public feeling strong against his own, he gave up his own opinion to the opinions of the people of England. That principle which led Mr. Pitt to seek a peace with France at the moment when he himself was disposed to a continuance of the war, was a principle of conduct which proved him worthy to be the minister of a free country;—a principle which, by attaching the affections of the people to the government, prevented the well-meaning from being misled, and from becoming the dupes of the ill-disposed. If, when the various temporary causes of discontent should have passed away, the wound which he now sought to heal were left to fester and inflame, ill consequences, he feared, would be the result of such neglect; and honourable members would perhaps regret that they had not retracted at an earlier period. He supported the motion, not because he wished to fix any mark of dignity upon the Queen, but because its success would pratify the wishes of a vast majority of the people.

Mr. *Stuart Wortley* said, he was anxious to follow his hon. friend, having acted up to that period in concert with him, though now obliged to differ from him in the line he had taken. His hon. friend professed that he took that line out of deference to the views of the people, stating at the same time that he did not agree with any of those views. He was ready to accede to him that the general feelings of a great body of the people were for the restoration of the Queen to the Liturgy, but then, in his view of the duty a member of parliament owed his country, those feelings were not to be acted upon at the sacrifice of an honest conviction. The feelings of the people ought to have their due weight with their representatives—he would listen to their prayers, and to the arguments by which they were enforced, but in that House he was bound to act according to the judgment he had formed. Upon that principle it was that his vote on the present occasion would be founded; and he would explain to the House why he could not, after what had happened, advise the Crown to bestow any mark of grace or favour upon the Queen. True, the sense of a great body of the people had clearly declared itself in favour of the effect of the present motion; but he thought that the people had come to that opinion under an erroneous impression. The people thought that to exclude the name of the Queen from the Liturgy was to deprive her of a right; and if once he could be of that opinion, he would undoubtedly vote for the insertion of her name; but he voted against the present motion because not even all the eloquent speeches he had heard had convinced him that in the exclusion there was any thing illegal. He did not put the negative vote which he proposed to give upon the ground taken by the hon. member (Mr. Legge) who had spoken for the first time upon the present occasion: he deprecated the language put forth in her majesty's addresses, and in her Letter to the king; but parliament ought in another way to mark its disapprobation of that language; he would not on that account exclude her majesty's name from the Liturgy. But the Queen, most ill-advisedly, had rejected the mediation of the House; she had refused to take any steps by which the differences between the illustrious parties could be arranged; she had put herself upon her trial; and, in so putting herself, she took the risk of any impression which might be produced by circumstances coming out during that trial. Now, there were some facts of which it was impossible to divest the mind; and although he, sitting in the House of Lords, might probably have been bound to declare her majesty not guilty, still there had upon the trial appeared such facts as made it impossible for him to call upon the Crown to hold her majesty up to the public in the situation of a graced and favoured Queen. He should give his vote according to his opinion; he trusted it would be considered an honest opinion; and he did think that if the same opinion should be given by the House, it would go far to quiet the country. In spite of what was asserted by gentlemen on the other side, he was convinced that the votes of the House had already gone a long way towards tranquillizing the country. Before he sat down he would trouble the House with a few words as to his general conduct in her majesty's case. It was well known to those who were in parliament in 1812, that he had at that time expressed himself most strongly upon the subject of the differences in the royal family; and he had then said, what he still thought, that, at that period, the Queen was most unjustifiably treated. The opinion which he had then expressed he still maintained; and he did believe that a great deal of the feeling now existing in favour of the Queen might be traced back to the indignation excited by the course of conduct in 1812 pursued against her. He wished, for his part, to bury all that had passed in oblivion; and he thought that it might be done, provided the House was not called on to vote upon motions like the present; but if he was driven to say whether he would call upon the Crown to hold up the Queen to the respect of the country, he must say that there had been such circumstances proved against her majesty as induced him, most decidedly, to negative the measure.

Mr. *Martin*, of Galway, said, that the present motion had actually been made in the form of an amendment eight months ago, and negatived by the House; and could any man now expect the House, after the lapse of so short a period, to reverse the decision then come to by a majority of 301 to 124, in which majority he believed the hon. gentleman himself joined who had brought forward this motion. He had thought something in the way of concession necessary, and as he had failed to obtain it from the party who was wrong, he turned round and demanded it from those who had all along been in the right. It reminded him of a case in which a friend of his was accused of acting unhandsomely. He (Mr. M.) was applied to on the occasion, and was accordingly waited upon by the friends of the other party, who demanded a most penitential apology. He replied, that his friend was adverse to this, and had authorized him to say—"You may make a riddle of his body, but he will make no apology." The gentleman however remarked, that an apology must be made; upon which he (Mr. M.) remarked. "Then your friend must make it." "You have just hit it," replied the other, "an apology must be made, and as your friend won't make one, mine shall." And accordingly an apology was drawn up for all the newspapers.—Such to him seemed the conduct of the hon. gentleman. An apology must be made, and as she, from whom it might be expected, would not offer one, the hon. gentleman in effect said, "You who are in the right must retrograde in the most unheard of manner." He had heard it remarked, that the peace of the country ought to be restored and this question set at rest. So said he. The Queen might give way without at all compromising her character for innocence, as that House had already declared, that by doing so her character, instead of suffering, would rise in their estimation. He had heard, that her majesty would not give up this point because she considered it to be essential to the establishment of her innocence. But it was not always so considered by her attorney general for he had taken charge of a proposition which did not go to restore the Queen's name to the Liturgy. This to be sure he had not presented to her majesty; but it was not to be supposed that he would have charged himself with it at all, if he had not thought that it ought to satisfy his royal client.

Mr. *Lennard* said, he was very glad that it had been at last admitted by gentlemen opposite that the exclusion of her majesty's name from the Liturgy was a punishment. He had always considered it so; and he thought it unworthy of the noble lord opposite to contend, as he had done on former occasions, that it was not punishment. He had heard with great surprise the members for Montgomeryshire and Yorkshire, contend that the restoration of the Queen's name to the Liturgy was an act of grace and favour. He would not attempt, after the luminous argument on a former night of the learned member for Oxford, to argue the question on the strict construction of the act of parliament; but it seemed to him that no man who had honestly applied himself to this question, with the assistance of those arguments, could have a doubt that the rejection of her majesty's name from the Liturgy was an arbitary and illegal assumption, in the teeth of the true meaning of the act of parliament. No man, in his opinion, could read that statute without being convinced that it was never meant that there should be any discretion to alter or change beyond that alteration which might become necessary by death or other inevitable accident. But the truth was, there was no law to reach the Queen; and therefore new laws were to be made and old ones broken. She was to be punished and then heard, "*castigatque auditque.*' She was to be punished with more than Rhadamanthean injustice; for, after being punished and heard, and tried and acquitted—the prerogative of the Crown—that prerogative contended for by ministers, but denied by the people—not the prerogative of mercy, which was admitted, but the prerogative of vengeance, which was denied—was set up to supply what was deficient in the rigour of the law. It had been said, that as the Queen's name had been already excluded from the Liturgy, it would be inexpedient to put it in again. What was this argument, but an admission that accusation, coming from the quarter from whence it came, was to be taken as proof of guilt? He was not surprised at this from gentlemen who had approved of the exclusion of the Queen's name from the Liturgy before her trial. This act served to mark the spirit of the proceedings against her—those proceedings, anomalous in the annals of our history, of the worst times of our history; it served also to mark the credit which was due to any sentiments in favour of justice professed by his majesty's ministers. No one could have forgotten how, after the Manchester massacre, they deprecated any expression of opinion which might prejudice that question; yet they had not been unwilling to brand the Queen as guilty before her trial—her anomalous trial, when her judges were her accusers, and her accusers the paid servants of her husband the complainant, and the supposed injured party. But above all she had a greater misfortune than having her judges for her accusers: they were her former friends; and it was the commonest observation, that none so persecuted their former religion as those who had abandoned it. "Renegadoes never change by halves." All her former friends, to whom she should have looked for support, had deserted her in her utmost need, and, with one exception (and he doubted even the truth of that exception), had ranged themselves against her. It was true that the right hon. member for Liverpool was not there that night to urge the course of government against the Queen; it was true that he had called her "the life, the grace and ornament of society;" but was it not also true, that he had coincided in the early measures against her: at all events, he had thought her unworthy of his support, and left her to be defended as she might. But she had found in the people of England—in public spirit—in that inherent feeling of justice which is always to be found in the breasts of an enlightened and free people—that pity and support which had been denied to her by the members of her husband's family. He could see the reason why no conviction was to be infused into the minds of his majesty's ministers; "*vestigia nulla retrorsum*" was their motto. They could not afford to be sincere—to confess that their Milan commission had been deceived, or that it had deceived them. All that they had done was to be defended and supported; but he did not despair of seeing the day when justice, though delayed, would at length be done. A few nights ago the right hon. gentleman below him, in a speech as remarkable for its manly sincerity as for its convincing and overwhelming argument, had declared his conviction, that if he had gone out of the House with only ten other members, still that the Queen's name would be replaced in the Liturgy. He had been at first startled at the position, but on a consideration of the state of public feeling, he was sure that he had been right. He would not then go into the Milan commission: the members of it might be "all honourable men." He would not pretend to say that, like king John or king Richard, they had whispered their wishes to their agents; but he had no doubt that there had been perjury among witnesses, and it would not have existed without the hope of reward. How that hope had been nurtured, God knew! The late measures against the Queen were an additional reason for parliamentary reform. Would any one pretend that a minister would have dared to contemplate bringing a bill of the nature of that against the Queen, to a House of Commons really speaking the sentiments of the people? He had not gone into the law of the question: he considered that point had been set at rest; but he had stated his opinion of the treatment of the Queen. He thought she had suffered the greatest injustice, and he felt himself bound to support the motion.

Mr. *Wilmot* expressed his conviction, that the motion was introduced by the hon. mover in the true spirit of peace and conciliation. He did not give less credit to the motives which induced the hon. member for Bramber to support it; but he could not conceal his regret, that the hon. member in his support had recognised a principle, which he thought in the highest degree dangerous, and capable of being perverted to the worst of purposes.—The hon. member admitted, that her majesty had no claim upon any special act of grace or favour of which the insertion of her name in the Liturgy clearly partook; for if she was entitled to that insertion by law, the question was set at rest, all discretion was at end, and the question of grace and favour would be wholly irrelevant. But the hon. member was desirous that her name should be restored for the purpose of complying with what he thought was the general wish of the people.—This was the principle against which he protested; even admitting that it was the general sense, it must be considered as yet (into whatever final judgment it might resolve) an effervescence of public opinion. He was most unwilling to differ from the hon. gentleman, whose efforts in the cause of humanity and of his country were so distinguished; but he must beg leave to oppose to such doctrine the opinion of a man, who was equally the ornament of the period in which he lived, he meant Mr. Burke; not in his later life when he might be stigmatised as the timid alarmist of the French Revolution, but during the period of the American War. Mr.

Burke then told his constituents, the electors of Bristol, that he was not bound to consider what their opinions might be at the moment, but what his own and their opinions must be five years hence. He says, "I was not to look at the flash of the day,—I knew that you chose me in my place along with others to be a pillar of the state and not a weathercock on the top of the edifice, exalted for my levity and versatility, and of no use but to indicate the shiftings of every fashionable gale."—On the present occasion he did not mean to deny that a strong feeling was abroad; but that feeling was encouraged by systematised misrepresentation, and by wrong opinions industriously circulated which would be corrected by better information; more mature reflection. He had no reason to suppose that his constituents would be dissatisfied with the vote which he intended to give; but even if they should be, he could not flinch from the conscientious discharge of his duty.—The House was now called upon to decide a compound question, embracing in fact one of legality and the other of expediency, and although the question of legality had already been so amply dicussed, he could not but recall the attention of the House to the plain and as it appeared to him, unequivocal meaning of the statute, as derived from the common import of the words employed—"Provided always &c. &c. that in all those prayers &c. &c. the names be altered and changed from time to time, and fitted to the present occasion according to the direction of lawful authority." —Supposing that a Queen or a prince of the blood were actually arrayed in rebellion against the Crown, was it meant that the wording of this statute should over-ride common sense and that the king was compelled to enforce the prayers of the country for her or for those whose object it was to overturn the state? He believed that if his majesty was to say that he thought his government, or rather his ministers should be altered and changed and fitted to the present occasion, that the hon. gentlemen from such language would not limit their contemplation to a mere novel arrangement of situations among the same men, as they were disposed to do in their interpretation of the statute in question: and, in point of fact, with respect to precedent, whatever may be said with reference to the unfortunate wife of George 1st, no person acquainted with history will deny, that if that princess had survived until after the accession of her son who was so warmly attached to her, there would have been the highest probability that he would have inserted her name in the Liturgy as Queen dowager.—Her story is involved in much obscurity; but there is one anecdote recorded of her, which does not lessen the interest we are disposed to feel for her fate on account of her misfortune, or our hopes that she might have been innocent.—When George the 1st ascended the throne of England, it is said that he proposed to her terms of reconciliation which she indignantly rejected. She answered, "If I am guilty of the accusations which you have brought against me, I am unworthy of your bed; if they are false you are unworthy of mine. I reject all offer of compromise or reconciliation."—With respect to expediency, he thought that the real grounds of the question were, whether it was expedient to confer upon her majesty a gratuitous act of grace and favor, which must sanction her as a fit person to be placed at the head of female society in this country, if she were entitled to this insertion of her name by law then no discretion would be exercised, and no special act of grace or favor would be involved.—When he heard it constantly imputed to his majesty's government, that they had offered a bribe to her majesty, he begged leave to ask the House, what in in their opinion the gentlemen opposite would have said, if the additional bribe, as it would have been called, of the insertion of her name in the Liturgy had been offered her? Had her majesty, he would ask, received no caution respecting her conduct? had not his late majesty enforced upon her the strictest injunctions in that respect? had she not protested against the covert proceedings of 1806, and expressed her preference of a fair and open trial? and above all, had she not herself acknowledged the responsibility of her position, and shrunk with indignation at the idea of her separation from her husband furnishing any apology for her conduct if impeachable?—He would quote the words of her own letter to show that her partisans could not fairly plead that she had been taken by surprise. In her memorable letter to the late king; she thus expresses herself. "I am ready to acknowledge, sir, from the consequences which might arise to the public from such misconduct, as has been falsely imputed to me that my honor and virtue are of more importance to the state than those of other women, and that my conduct may be fully subjected when necessary to a severe scrutiny;" and then she adds, that if there were fair existing grounds of suspicion she should be the last person who would be disposed to dispute the wisdom of the advice which would lead to make her conduct the subject of the gravest and most anxious enquiry:—He would not trespass longer upon the House, where it was natural that an impatience upon this exhausted subject must exist. He trusted that gentlemen would do their duty and rather represent the sound and permanent, than the accidental feelings of the people of England; and whatever plans of reform might be entertained by the hon. gentleman opposite, he for one hoped that that House would never be assembled for the mere purpose of registering the edicts of the populace.

Mr. *Marryat* was of opinion, that even if ministers had been in possession of irresistible proof of her majesty's guilt, the exclusion of her name from the Liturgy was not the proper way of marking their sense of her misconduct, or inflicting the requisite punishment. He could discover no precept of Scripture, and no dictate of reason, which forbad us to pray for those who had wandered from the path of duty. The mode in which her majesty had been prejudged and punished by the exclusion of her name from the Liturgy, assumed the character of a religious persecution, and a religious persecution was of all others the most unjustifiable and the most odious. Hence the general dissatisfaction of the country with the treatment which the Queen had experienced. He verily believed that to the omission of her majesty's name in the Liturgy, and the odium attached to it, was to be ascribed the greater portion of her popularity. The people often reasoned wrongly, but they always felt right; and when they saw her majesty punished without trial, they could not refuse her their sympathy and support, nor would she cease to be an object of popular regard until she ceased to be persecuted. If he were a partisan of her majesty and wished her to retain the hold which she possessed over the minds of the people, he would advise ministers to refuse the insertion of her name in the Liturgy and to continue their present system; but anxious to see the public tranquillity restored, and the chief cause of her majesty's popularity removed, he would support the motion before the House. It had been erroneously stated that this was a party question, and that its object was, to drive ministers from their places. He neither supported it with that intention, nor did he think that its adoption would have that effect. They had stood on former occasions when outvoted on questions of great importance; they had lost the property tax to which they were pledged, and they still retained their offices; nor did he see why that might not be the case now. The success of the present motion would restore the Queen to her place without driving ministers from theirs. For himself, he could not feel himself justified in allowing the apprehension of any remote contingency to withdraw him from the performance of his duty. He was sent there to consult the interest of the nation, and he felt that he should best discharge that duty by voting for the present motion.

Lord *Milton* argued against the use which had been made of Mr. Burke's observations on the instructions which he had received from his Bristol constituents respecting the Irish commercial propositions and the Catholic question, which measures were, about the time of his making the observations, quoted by the hon. member for Newcastle, coming under discussion in that House. If the hon. member wished to know Mr. Burke's real opinions on a question similar to that before the House, let him read his "Thoughts on the present Discontents," and he would there find the opinion which Mr. Burke entertained of the probable consequences of differences between what he termed "an addressing House of Commons and a petitioning people." He thought the House would act wisely to add their petition for the restoration of the Queen's name to the Liturgy, to those of almost all the rest of the nation.

Sir *Thomas Acland* said, that if the House could be prevailed upon to think that the petitions on the subject before them were general, that they came from those classes of the community whose opinions deserved the greatest respect, and were founded on their cool and deliberate judgment, they ought certainly to adopt the recommendation of the noble member for Yorkshire, and add their petitions to those of the people: but when he considered that they expressed only the opinions of a considerable portion of the people not likely to come to very sound or dispassionate conclusions, he did not think that he should discharge his duty by acting upon such conclusions. His opinion was, that these petitions arose from the remains of that unsettled and feverish state of mind which had existed during the last year, and for which he would be the last man to deny that great cause did exist, and that they did not arise from generous feelings; but he could not allow such petitions to decide his judgment either as to the actual opinion of the enlightened part of the people, or as to the question before the House, which he thought the most important that had been brought forward during the present session. He thought it involved principles which concerned not only the dignity of the Crown, but the best interests of the country, and that the House was that night called upon to take the lead, and set an example which, whatever it might be, would, he was satisfied, be followed by the country. The resolution proposed did not appear simply to adopt the determination of a single point, but it appeared to include, that the House of Commons were prepared to interpose their mediation, their authority, or their influence, to compel or to advise the Crown to insert a name which the Crown in the exercise of its prerogative, had thought fit to omit. This was called for when during the last year nothing had been done on the part of her majesty to challenge at their hands or from the Crown that homage usually paid to royal station. After all the disgraceful circumstances which had transpired in the course of those proceedings, were the advocates of the motion prepared to declare, that no blame could attach to her majesty which could reasonably prevent her from asking, and the House from granting a proof of the most perfect homage which could be paid to a Queen of the most unimpeached morality and virtue? There was a degree of respect supposed to be due to her royal station; but then it could only be exacted or yielded with propriety, when the demand came from a party of strict morals and unstained character. He allowed that there was in this case, a kind of previous question, which, were it to be mooted on its own grounds, without reference to what had passed since the erasure of her majesty's name from the Liturgy, might lead him to a different conclusion from that which he had formed upon the motion. On the legality of the omission, he was not prepared to enter, and it would be presumptuous in him to argue in support of his views of the case after the able speech of the learned member for Oxford, whose reasoning, although he did not undervalue it, left him still unconvinced. Indeed, he could scarcely believe that those who had argued for the illegality of the omission placed great reliance on their own arguments, because on no former occasion, and not even that night, did they place that question fairly in issue. How happened it, that the omission of her majesty's name in the Liturgy, which that learned gentleman alleged to be illegal, should have been so long overlooked by those who were peculiarly bound to maintain her majesty's legal rights? From the outset, indeed, of that omission, the legal question had never been fairly grappled with not even in the course of the present debate. If it was illegal, it was moreover so unjust and arbitrary, that he should have expected to see it embodied in the present or some specific motion. He now came to the question of expediency, and here he must express his deep feeling of pain at being under the necessity of differing from his hon. friend near him (Mr. Wilberforce), for whose opinion he always entertained the highest respect, as being that of a person who never gave himself up to party, who had acted always from conscientious and upright motives, and who determined every question by the rules of religion and moral duty. He should, notwithstanding the opinion of his hon. friend, be very loath to admit expediency to decide upon a measure which could not in his opinion be recommended without great impropriety. That measure was no other than to procure the consent of the Crown to confer honours upon her majesty, whatever criminality was proved against her; however that criminality was established according to the forms of substantial justice; and however notorious it was that the majority of her judges—those judges who on both sides gave the evidence so patient a hearing, and who, he believed, showed throughout an honest impartiality—decided against her, not hesitating to declare their conviction that she was guilty of the charges of which she was accused.

He could not lay these things out of view when a motion like the present was brought forward, and when the Crown was to be called upon to place her majesty at the head of female society in England. It had been said, by his hon. friend, that the people could not see why, if it was wrong a year ago to omit her name in the Liturgy it was not right now to rectify the error. But could they forget all that had passed in the interval? Though ministers might at first have acted inexpediently in erasing her name they were justified by what had occurred in not re-inserting it. The original omission was a pre-judgment, and sufficient cause appeared for the continued exclusion. — The honourable baronet proceeded to justify his vote on lord Archibald Hamilton's motion, on the ground that, though in words it merely declared the exclusion of her majesty's name from the Liturgy unadvised and inexpedient, the avowed object of its author, and its real effect if carried, was a change of ministry. He did not vote against it, but was silent, and voted for the adjournment, which did not compromise his opinion. He would oppose the present motion because he did not think that, if carried, it would restore tranquillity to the country, which was its object, while its consequences might be dangerous. If the House yielded to the present claim, how could it resist future ones? What was there so sacred in our palaces that should exclude her majesty from one, if her name was placed in the Liturgy? There was nothing in the past conduct of her majesty which could lead them to believe that her majesty would be satisfied with less than her full claims, or that she would concede any thing for an amicable adjustment. Did she show any such disposition when the House voted the address, and when, as the hon. member for Hertfordshire had said, she might have retired with at least as much credit as she has since acquired? Instead of being satisfied with the restoration of her name to the Liturgy, she might make that favour a ground for future demands. There was another topic which he wished to press upon the consideration of the House; and that was, that if they conceded to her majesty honour in the Liturgy and honour in a palace, they could not, in case of a coronation, refuse to concede her honour in that august ceremony; or, if they did refuse to concede her it, they would still further increase the inflammation which was now stated to be so very prevalent in the country. Supposing, however, that these points were conceded to her, he would ask how they could then refuse to grant to her all the honours of a court? Could they collectively as a body refuse to grant to her the funds necessary to support a court, or could they, separately as individuals, with any consistency of conduct fail to attend personally at it, and pay to her that homage which was usually given to the consort of the sovereign? It was said on the other side, that even if the House of Commons were to interfere on these points, the public would still form an opinion for itself on all other points connected with her majesty. Allowing that to be the case, still the House would be placed in a very awkward situation, for if public opinion should turn against her majesty, it would have done every thing within its power to obtain for her the esteem and approbation of the country. For these reasons he certainly could not give his support to the motion of the hon. gentleman; and in giving it his opposition, he knew that those who thought that the House ought not to notice what was unfortunately too notorious, or to refer to what had recently taken place in another quarter, would not coincide with him in opinion. He had, however, formed his opinion after a calm and deliberate investigation of the whole question; and he could not help recollecting, that if the House owed something to her majesty, they owed something also to the female virtue of the country—they owed something also to themselves, and that was, not to sanction by their votes the payment of that personal honour and homage to her majesty which he wished to God that he could say that she had deserved by her conduct.

Sir *John Newport* said, he did not know how those who censured the erasure of her majesty's name from the Liturgy in the first instance as unwise and inexpedient could vote against the present motion for reinserting it. They said, it was true, that circumstances had changed since the time of the first erasure; but if they had changed, he maintained that they had changed in favour of her majesty; for upon every principle of British justice, the abandonment of the bill introduced into the other House of parliament against her, was equivalent to an acquittal. He could not see any inconsistency in the conduct of the hon. member for Bramber, who voted to restore her majesty's name to the Liturgy, on the ground that it would restore the peace and tranquillity of the country, and not upon the ground of the Queen's guilt or innocence. He condemned, in common with the whole country, the entanglement of political prejudices with the forms of the established religion, and recommended the House to adopt the motion as a mean of securing the tranquillity of the country, which would never be established until the point in dispute should be conceded.

Mr. *Davenport* thought the original omission of her majesty's name in the Liturgy a most ill-advised measure; but, from what had appeared in evidence elsewhere, and from her conduct, particularly in her letter to the King, and her answers to addresses since she returned to this country, he could not consistently vote for the motion.

Mr. *Lamb* said, that considering the importance of this subject, and the political consequences likely to follow from the decision of the House, he thought it necessary to offer a few words. With respect to the legal question, he must say, that he was not convinced that the clause in the act of parliament referred to, did not give the power to the Crown to judge of the names to be inserted in the Liturgy. The learned gentleman in his argument upon that point, had recounted all the various privileges which belonged to a Queen Consort; but he thought the learned gentleman would agree with him, that they were given to the Queen in aid and assistance, not in opposition and contradiction to the Crown. That was the general rule of law on which all the privileges of a Queen Consort were to be construed. The clause in the Act of Uniformity, on which the learned gentleman had placed so much reliance, was put in *ex abundanti* and for explanation of a former clause; and even if it were not so, still every act of parliament was to be construed consistently with reason and itself: therefore, if there had been no proviso like the one now relied upon in the act, there must have been a power vested somewhere to make such alterations as were rendered necessary by the course of nature and the hand of God. A clause, therefore, which was loosely worded, which settled no remedy, and consequently gave no right, was insufficient to control a lawful authority which was recognised in another part of the same act; and if such were the case generally, it was peculiarly inefficient to control it in the present case of the Queen, after all the circumstances of a legal conviction—after all the circumstances short of actual degradation which had transpired against her. Upon the principle, therefore, of law, he did not think that her majesty had any right to have her name inserted in the Liturgy, though he could not help at the same time observing, that it would not be wise for that House to decide upon the construction of a dubious legal authority. On a former occasion he had stated that her majesty, as her innocence appeared to many to have been satisfactorily established, might with safety and propriety have conceded the point of the Liturgy. He was then blamed for having argued that her majesty was right, and therefore ought to concede; and the argument was even treated as highly ridiculous and absurd. Now, he saw nothing absurd in it; on the contrary, it still appeared to him that the concession of the Liturgy would have been the most prudent and patriotic measure that her majesty could have adopted. Her majesty was represented as a person of most exalted character; she had been described by one of her legal advisers as of a sagacity inferior to none that he had ever known, and of a propriety of mind, notwithstanding all that had been imputed to her discredit, rarely excelled. In his opinion, that sagacity of mind for which she was distinguished ought to have rendered her anxious to allay the present animosities existing in the country; and that propriety of mind for which she was so much eulogised, should have taught her that the best method of doing so was the giving up the long-contested point of the Liturgy. The hon. member after stating, that it appeared to him that the Crown, the Queen, and the House, ought each to concede something to the other, concluded by saying, that he should give his vote in favour of the original motion, in deference to the opinion of a large majority of the people; which, although it ought not to be servilely acquiesced in on all occasions, still should always meet with some attention from a wise and prudent government.

Mr. *Bright* supported the motion, and contended that in point of law, as well as on the ground of expediency, her Majesty's name ought to be inserted in the Liturgy.

Sir *J. Marjoribanks* opposed the motion, amidst loud cries of "Question."

Mr. Alderman *Bridges* could not support the motion, after the exposure that had been made of her majesty's conduct. The Prayer Book was held, and justly, only inferior to the Bible, and he could not consent to its disgrace by the introduction of her name into it.

The House divided:—Ayes, 178; Noes, 298. Majority against the motion, 120.

List of the Minority.

Abercromby, hon. J.
Allen, J. H.
Althorp, visc.
Anson, sir G.
Ashurst, W.
Astell, W.
Aubrey, sir J.
Baillie, J.
Barham, J. F. jun.
Baring, A.
Baring, H.
Barnard, visc.
Barrett, S. M.
Beaumont, T. W.
Becher, W. W.
Benett, J.
Bennet, hon. H. G.
Bentinck, lord W.
Benyon, B.
Bernal, R.
Birch, J.
Blake, sir F.
Boughey, sir J. F.
Boughton, W. E. B.
Bright, H.
Brougham, H.
Browne, D.
Bury, visc.
Byng, G.
Calcraft, J. H.
Calcraft, J.
Calvert, C.
Campbell, hon. J.
Carew, R. S.
Carter, J.
Caulfield, hon. H.
Cavendish, lord G.
Cavendish, H.
Cavendish, C.
Chaloner, R.
Clifford, A. W.
Clifton, visc.
Concannon, L.
Crespigny, sir W.
Davies, T. H.
Denison, W. J.
Denman, T.
Doveton, G.
Duncannon, visc.
Dundas, hon. T.
Dundas, C.
Ebrington, visc.
Ellice, E.
Ellis, hon. G. A.
Ellison, C.
Evans, W.
Farrand, R.
Fitzgerald, lord W.
Fitzgerald, rt. hon. M.
Fitzroy, lord C.
Folkestone, visc.
Fox, G. L.
Frankland, R.
Gaskell, B.
Glenorchy, visc.
Gordon, R.
Graham, S.
Grant, G. M.
Grant, J. P.
Grenfell, P.
Guise, sir W.
Haldimand, W.
Hamilton, lord A.
Hamilton, sir H. D.
Harbord, hon. E.
Heathcote, sir G.
Heathcote, G. J.
Heron, sir R.
Hill, lord A.
Hobhouse, J. C.
Hornby, E.
Howard, hon. W.
Hughes, W. L.
Hume, J.
Hurst, R.
Hutchinson, hon. C. H.
Hyde, J.
James, W.
Jervoise, G. P.
Kennedy, T. F.
Lamb, hon. W.
Langton, J. H.
Leake, W.
Lennard, T. B.
Lemon, sir W.
Lester, B. L.
Lloyd, sir E.
Lloyd, J. M.
Lockhart, J. J.
Lushington, S.
Maberly, W. L.
Maberly, J.
Macdonald, J.
Mackintosh, sir J.
Madocks, W. A.
Mahon, hon. S.
Marjoribanks, S.
Marryat, J.
Martin, J.
Maxwell, J.
Milbank, M.
Mildmay, P. S. J.
Milton, visc.
Monck, J. B.
Moore, A.
Moore, P.
Newman, W. R.
Newport, rt. hon. sir J.
Nugent, lord
O'Callaghan, J.
Onslow, A.
Ord, W.
Ossulston, lord
Palmer, col.
Palmer, C. F.
Pares, T.
Pelham, hon. C. A.
Phillips, G. R.
Phillips, G.
Pierce, H.
Power, R.
Powlett, hon. W.
Price, R.
Prittie, hon. F. A.
Pryse, P.
Pym, F.
Ramsbottom, J.
Ramsden, J. C.
Ricardo, D.
Rice, T. S.
Rickford, W.
Robarts, A.
Robarts, G.
Robinson, sir G.
Rowley, sir W.
Rumbold, C.
Russell, lord W.
Russell, lord J.
Russell, R. G.
Scarlett, J.
Scott, J.
Scudamore, R.
Smith, hon. R.
Smith, S.
Smith, G.
Smith, A.
Stanley, lord
Stuart, lord J.
Sykes, D.
Talbot, R. W.
Tavistock, marq.
Taylor, M. A.
Tichfield, marq. of
Tierney, rt. hon. G.
Townshend, lord C.
Wall, C. B.
Warre, J. A.
Webbe, E.
Western, C. C.
Wetherell, C.
Wharton, J.
Whitbread, S. C.
Whitbread, W. H.
Whitmore, W. W.
Wilberforce, W.
Wilkins, W.
Williams, W.
Wood, ald.
Wyvill, M.

TELLERS.

Smith, J.
Tennyson, C.

PAIRED OFF.

Anson, hon. G.
Balfour, J.
Belgrave, visc.
Coffin, sir I.
Crompton, S.
Graham, R. G.
Gurney, H.
Mostyn, sir T.
Noel, sir G.
Ponsonby, hon. F. C.
Smith, R.
Smith, W.
Taylor, C.
White, L.
Winnington, sir E.

SHUT OUT.

Creevey, T.
Fergusson, sir R. C.
Lambton, J. G.
Sebright, sir J.
Sefton, earl of
Wilson, sir R.

HOUSE OF COMMONS.

Wednesday, February 14.

Attorneys and Solicitors.] Mr. Serjeant *Onslow* rose to move for a committee to inquire into the laws respecting the admission of Attorneys and Solicitors in England. The measure he had in contemplation was not intended to apply either to Scotland or Ireland. As the law now stood, no individual could act as an attorney or solicitor, who had not served for the term of five years; and his object was, to strike off two years from the five, provided the person desirous of becoming an attorney or solicitor had taken a degree at the University. This would have the effect of imparting additional respectability to the profession, while the knowledge of the individual would be considerably improved. The judgment of persons thus situated would be much more matured than that of others who had not received an equally liberal education; for it was perfectly clear that a well-cultivated mind would learn more of the legal profession in three years, than a raw and uncultivated one could imbibe in the course of five.

The motion was agreed to, and a committee appointed.

CONDUCT OF SHERIFFS.] Mr. *Beaumont* rose to call the attention of the House to the conduct of Sheriffs in refusing to call county meetings. It would be in the recollection of the House, that on Friday last a petition was presented by the noble lord who was member for Chester complaining of the conduct of the sheriff of the county, at a public meeting, in two instances. In the first place, it was alleged that he had prevented an amendment from being put; and, in the next, that he had not proposed the negative question on the original motion. In bringing forward this motion it was not his intention to discuss the particular conduct of this sheriff, nor to propose any vote of censure on him, in consequence of the course he had adopted. All he meant to do was, to state the general inconvenience which arose from the conduct of sheriffs, under certain circumstances, which inconvenience had been experienced in Northumberland, in Gloucester, in Kent, and in some other counties, and to endeavour to procure some legislative measure to prevent the recurrence of the evil in future. He would briefly introduce the subject to the House. With respect to the conduct that had been immediately complained of, it was most obvious that if a sheriff had the power of declaring to a public meeting what should and what should not be received—what he thought proper to permit and what he pleased to prevent— the inconvenience and injustice would be, that all discussion would be precluded. Again, if when a public meeting was assembled, the sheriff refused to put the negative question on any proposition, it was quite evident that the real sense of that meeting could not be collected, when its opinion was not asked both affirmatively and negatively. He should not trouble the House with a detail of all the examples which had been recently set by sheriffs who had refused to call county meetings, but would confine himself to one; namely, that of the high sheriff of Northumberland. The case was this—a number of gentlemen of rank and property in that county had signed a requisition, calling upon the high sheriff to convene a county meeting. The object was unequivocally legal, and the parties indisputably entitled to address the sheriff upon such an occasion. In any view of the case there could be no possible or reasonable objection to comply with their request, nevertheless the sheriff thought fit to return a refusal, and to decline assigning any reasons, except that he acted in the exercise of his own discretion. Now, it could never have been contemplated by the legislature, in passing the late act, that the sheriff should set up his own will and pleasure against the sense of a large number of respectable persons in the county, who desired a public meeting—quite the contrary; for he well recollected, when that act was pending, a minister of the Crown declared that the power vested in the sheriff was calculated more to promote than prevent real county meetings, for they would, according to the new regulation, have the additional dignity of the presence of their constitutional officer whenever they assembled. So that it was clear parliament never intended by the enactment to restrict the right of petition; although, after the use which made of the act, they should be extremely cautious how they did any thing that was calculated to be misconstrued into the power of restricting so valuable a right. In the committee, he should propose, either to repeal or amend the former act, or to affix some specific and clearly defined boundary to the discretion of the sheriff respecting county meetings.. In making this motion he had no wish to keep alive any subject which was calculated to keep alive the agitated state of the country. He conceived, however, that any question involving the exercise of the right of petition was of such vast importance as to require consideration. They ought to ascertain if that right had been restricted, and, if so, to adopt such measures as would prevent a recurrence of the evil. He concluded by moving, "That the petition of certain inhabitants of the county of Chester, presented to this House on the 9th instant, and complaining of the conduct of the sheriff at the last county meeting, be referred to a select committee, to examine the matter thereof, and report their observations thereupon to the House."

Mr. *Davenport* requested to know what was the difference between the present motion and a motion of which notice had been given by the member for Appleby.

Mr. *Beaumont* said, that the present motion was directed towards a general legislative measure, while that of his hon. friend referred to some particular instance.

Mr. *Creevey* said, he thought that the motion of his hon. friend would have been for a general inquiry into the conduct of sheriffs as to the exercise of their discretion in refusing to call county meetings. His object, in giving the notice of last night, was to bring the conduct of the sheriff of Chester before the House, with a view, in case it should appear that he had acted improperly, of having him censured.

Lord *Castlereagh* said, it appeared to him that both motions were of the same tendency, and went to affect, in the first instance, the conduct of an individual. Both were, in his view of them, anomalous; for they called upon an individual—and without, at the outset, showing the fullest necessity—to encounter the expense of defending himself at the bar of that House from an imputation. It was a serious thing to put a gentleman under the reprehension of that House, without previously affording him the opportunity of showing whether or no he could justify his conduct. Although his majesty's government had no desire to obstruct any inquiry which had for its object the removal of any supposed impediment to the right of petition, yet he thought it too much to call upon that House, at the outset, to erect itself into a tribunal over the exercise of the discretion of a high sheriff, whose deliberate powers were recognised by the control vested in him over the arrangements of the county courts. Let the House be put in possession of the particular acts on which the charge of delinquency was grounded, and then let it be seen what explanation or justification could be applied to these facts. With respect to the present motion he should wish to ask the hon. mover whether he thought it wise to press it, when on Tuesday they were promised a fuller statement of the particular case?

Mr. *Beaumont* said, that nothing was farther from his wish than to take the House by surprise upon this subject, or to interfere with the motion of his hon. friend. He was ready, therefore, to withdraw his motion for the present.

The motion was then withdrawn.

SCOTCH JURIES BILL.] Mr. *Kennedy* rose and apologised to his honourable friend, the member, for Northumberland, for his apparent inattention to the arrangement which had been made on a former evening—that of allowing his notice to take precedence—but he (Mr. K.) was extremely unwilling to proceed in the absence of the learned lord-advocate of Scotland. At the same time, having waited until the last moment, he was sure the House would feel with him, that, however reluctantly, he must now proceed.—The subject to which he was about to call the attention of the House was one of which he had given notice nearly two years ago. He had abstained during the last session from introducing it, owing to peculiar circumstances in the condition of the country. But, having done this, he was the more anxious to propose the measure with which he should conclude, early in the present year—and particularly as he could not be aware how long it might be convenient to the learned lord to attend his duty in that House. He ought perhaps to apologise to the House for the nature of the motion at a moment when the temper of the House and of the country was scarcely tranquillized, or withdrawn from a subject which had so much occupied its attention—but it did appear to him that the time was come to proceed to other important matters. It was not so interesting as a measure affecting the financial, agricultural or commercial embarrassments of the country—subjects to which he should be happy to see the attention of the House directed and especially—by honourable members on the other side of the House, under whose auspices success and advantage were more probable—but he could not think the amelioration of the criminal law or of the judicial system of its administration at any moment uninteresting or unimportant. To make such attempts on any extended principle he was himself incapable, but his present object was not beyond the capacity of any man.

It was most important to correct any imperfection in the administration of that law; to remove the possibility of imputation upon the sacred character of the judges.—He begged to be understood as speaking of the supreme criminal court in Scotland with all respect—he did not come there to attack the conduct of the learned persons who composed it.—His wishes were of a very opposite character, by removing all risk of misconstruction or imputation to place them above the possibility of suspicion, an object at any time laudable, but particularly so at a time when it was not unusual to say that a disposition to degrade the valuable and dignified institutions of the country was characteristic of the times in which we lived. If such was the case, each proposal of improvement was their best defence, and if defects did exist in them, their security consisted in a watchful observation which would lead to a well-timed remedy of such imperfections. He understood that some general measure was contemplated; but he well knew how little weight he could have in recommending particular points as parts of such measure. For this reason he had resolved to submit his present motion for the specific purpose he had in view.

The hon. member proceeded to state that there were many points in the judicial system of the criminal law of Scotland and in the law itself, which he conceived to be defective, and referred in the first place to the stat. 1701, cap. 6, which was to be considered as the Habeas Corpus act of Scotland. A construction of that act, and a practice following upon it had arisen which was undoubtedly hostile to the intention and spirit of that salutary law. By that law, every criminal indicted for a crime of high degree, could compel the public prosecutor to bring him to trial within a limited time It seemed clear that the time had been unduly extended by the modern construction of the law, so that all the benefit intended was not enjoyed. The provisions of the act ought to be amended.

Another point was, that while certain amounts of bail proportioned to the condition of the party, were provided and which had been raised to larger sums in modern times, no proportional increase had been made in the amount of the penalties to which parties were entitled upon successful prosecution for wrongous imprisonment.—Such disproportion was unfit. If the rates of bail were raised, so ought the penalties for wrongous imprisonment to be augmented.

It was also an evil, that "Letters of Intimation"—which were the instrument by which a prisoner forced on his trial, were more expensive than suited the means of most persons in that unhappy condition, such he was assured was the fact. The expense of such a proceeding ought to be so moderate as to present no impediment to the attaintment of the benevolent object of the law in behalf of the meanest criminal in the realm. Moreover the act of 1701, did not apply to persons *not* in prison, to those who were alleged to have committed crimes for which bail is received.—Persons could *qualify* themselves to receive the benefit of the act only by going to jail. There could scarcely be any propriety in denying to the offender of smaller magnitude the same privilege of expediting the determination of his own guilt or innocence as was given to the person accused of crimes of the greatest enormity. Each should have the like means of limiting the time within which the public prosecutor should be able to arraign him as guilty. To the public service no injury could arise from this extension of the enlightened spirit of the laws. [Hear.]

Another subject was worthy of the attention of the House, viz: the power of the court of justiciary to award punishments for offences which were not provided for by statute, which are aptly termed *arbitrary punishments:* the power possessed approached to a legislative authority; a power of forming a practice, where statute does not provide, varying from the most inconsiderable punishments to the highest penalties of the law, short of capital condemnation. He did not, indeed, mean to say, that severity was characteristic of the punishments so inflicted, but the system did produce a want of uniformity in punishment, an uncertainty of degree in punishment, varying with the character of persons, and the spirit of the times, which could not be considered beneficial. The state of the law respecting the punishment of offences against the state was unquestionably a great grievance. In Scotland, a person found guilty of sedition, for a first offence was liable to transportation for seven years, for fourteen years, or for life. In England, for a first offence, he was liable only to fine and imprisonment: and it had been deemed a measure of great severity when the judges were empowered by the act of 1819, for a second offence, to banish for seven years. Such disparity of punishment for the same offence, in two portions of a country which ought to be considered one, could not be considered just or expedient. [Hear, hear.] Yet Scotland suffers under this rigorous exercise of power, of the existence of which grave and high authorities doubt, but while they express their doubts, it is without scruple exercised. So within a year, a person of the name of Macleod, convicted (a first offence) of a seditious libel was transported for five years, and his sentence was considered a measure of leniency, while in England he could only have been condemned to fine and imprisonment [Hear, hear]. Such was the state of the law affecting the liberty of the Press; to Scotland the comparison was most unfavourable.

He would next advert to the office of lord advocate of Scotland, to the extraordinary accumulation of powers attached to it: 1st, the lord advocate had an unlimited power in the nature of *ex officio* information, in crimes of every description and degree, with the single exception of treason. Even that exception did not exist before the union, but at that time the English law of treason was introduced into Scotland. And it was in example of a beneficial alteration in the law. Nothing in the nature of a grand jury existed in Scotland, with the exception stated; and without any desire to state that the powers of the lord advocate, vast as they are, were in general vexatiously exercised, it was impossible not to be of opinion that some control of them was called for, and that the great interests of public justice would be better consulted by an abridgment of those powers, which could not fail to be looked upon with some degree of suspicion and alarm. [Hear.]

Another power belonging to the lord advocate was, in all cases, at the moment a prisoner was brought to the bar, to pray the court, as it was termed, "to desert the diet *pro loco et tempore*," that is, to delay the trial and remand the prisoner until a future occasion, either from the proceedings being inaccurately prepared, the absence of a witness, or any other cause. Such desertion of diet is no doubt the act of the court, but it is an act so constantly practised upon the application of the lord advocate or even his deputy upon circuits, as to be in fact the act of the public prosecutor. That it may be usefully exercised is certain but that it may be abused and has been the means of prosecution is not less true. Cases of minor importance constantly occur, but a remarkable case was that of Mackinlay, a few years since indicted for sedition, his indictment was drawn with such want of skill, that he was either three or four times brought to the bar for the same offence, the diet deserted, and he remanded to prison. The court certainly did not exceed its absolute power, but no one could contemplate that proceeding without feeling that it was a disgrace to the country in which it took place and to the public prosecutor to whose incapacity it was attributable. [Hear, hear.] The hon member said that he called the attention of the House to those topics to shew that in his opinion he did not seek to direct the attention of parliament and the country to the practice of the criminal law in Scotland on light grounds, and unquestionably the office of lord advocate had attached to it a most dangerous and anomalous complication of power. It ought to be re-modelled, and in it's scope ought not to exceed the powers which belong to the attorney general in England, all the points to which he had shortly adverted were most important, and he hoped that the general measures intended to originate with official persons in Scotland would not fail to embrace many if not all of them. [Hear, hear.]

The hon. member proceeded to state, that the measure he was about to propose, was limited to a single, but most palpable and crying evil; the manner in which juries are chosen in all criminal cases, excepting in treason in Scotland. The law and practice now existing were most unfit. It was not his intention to say any thing of the system by which the sheriffs provided the persons from among whom juries were chosen, farther than that he believed it to be by no means perfect: but the sheriffs acted upon their responsibility, and on another occasion the result might be enquired into. It was enough to state that whether to the supreme court of justiciary at Edinburgh or to its circuits throughout the country, 45 persons were sent as jurors, composing a body called the great assize. And here it was impossible not to keep in view a fact, that in the composition of the 45, the judge had something approaching to a nomination. At Edinburgh, cases were tried that arose from a certain number of adjoining counties; and so at circuits, it might be said, that there were contributary counties to each circuit town. From each contributary county previous to each circuit, a list of 45 persons is sent to the justiciary office at Edinburgh, and from the lists of 45 persons so sent from each county, amounting to 90, 135, or 180, as there may be 2, 3, or 4 counties contributory, the rectified list of jurors, who are to compose the great assize, is selected by the judge, who is appointed subsequently to proceed on the circuit. Thus much as to the 45 persons who appear in court on the day of trial, and who have thus undergone a preparatory examination and selection by the judge. It may be here noticed, that when they do appear in court, there is no challenge of the array. From the 45 persons so appearing, 15 are chosen by the same judge to try the case; and it may be observed here, that in Scotland, in criminal cases, the jury decides by a majority; so that not unfrequently, a single voice condemns or acquits.

The bill for which the hon. member was about to move, went to alter the mode in which the jury of 15 is chosen from the 45, or great assize. He did not wish to attempt any change, or to remedy any other part of what he might consider a defective system: but to restrict the measure to so moderate and obvious an improvement, as would reconcile all to the useful and simple measure, which in conclusion, he would propose to the House. Mr. Hume, who was the great authority on the criminal law of Scotland in treating of the constitution of juries, says, "*They are named by the presiding judge from the Roll of* 45; and are presented, five by five to the panel; who is asked if he have any objection why they, or any of them, should not pass on his assize." He proceeds to state the causes of objection which are admitted, such as a juror being insane, deaf and dumb, an infamous person, an outlaw, or having committed a grievous injury against prisoner, or in the case of prosecution at the instance of a private party, the juror being nearly related to the prosecutor. That such causes of challenge are sustained, but that "*our custom allows him not* that freedom, which the prisoner has in England, of setting aside so many of the jurymen, by a peremptory challenge, or without assigning any cause." Mr. Hume, indeed, says, that such being the uniform and unquestionable practice, it is strange how sir George Mackenzie, in his vindication of Charles 2nd, states, that a statute passed in that reign, giving the prisoner the power of peremptory challenge, to the number of 30. Mr. K. said, that such was the statement of the greatest authority on the subject, but it was not his intention to found his measure upon the result of antiquarian research; the state of the law and practice was undoubted, and he ventured to think it equally clear, that that law and practice was altogether unfit to be continued. He did not found this opinion upon any new or theoretical principle, but upon a practice which was familiar to the House, which prevailed universally, with the exception of the criminal law of Scotland. He had the sanction of the law of England, of the law of treason in Scotland, of the court of Exchequer in Scotland, of the trial by jury in civil causes in Scotland, and of local and personal acts, which applied to that country. In such circumstances, he was sure that he should not appeal in vain to a British parliament, which would be disposed to extend to Scotland in this particular point, that pure and perfect system of the administration of criminal justice, which constituted so considerable a portion of the just renown and glory of the nation at large. [Hear, hear.]

The remedy which the hon. member meant to propose, was, 1st, That the jury should be constituted by ballot, instead of by the nomination of the presiding judge. 2dly, That a challenge without cause, should be afforded to prisoner and prosecutor, three to each. For the ballot, he had the example of the universal practice of England, supported by the most obvious expediency, and sanctioned by the principle, which must regulate all judicial establishments, viz. the most complete and unquestionable impartiality. He had, in like manner, the law of treason in Scotland. Also the court of Exchequer, which, although it was a court administering a law, common both to England and Scotland, was a Scotch court; and lastly, he had the important example of the jury trial in civil causes in Scotland, a branch of the judicature of Scotland, of modern date indeed, but, happily introduced in the first instance, by a temporary act of the 55th, and subsequently rendered permanent by the 59th Geo. 3rd.

On the second branch of the proposed remedy, he had in a great degree the same authorities. The treason law, common to both countries, where peremptory challenge to the amount of 35, was the right of the prisoner. The practice of England on capital felonies, where the right of challenge was limited to 20; and the valuable practical, although not statutory challenge in all cases, by which it was admitted, he understood, to any extent, so long as it did not interfere with procuring a jury.

The jury trial in civil causes, was again a decisive authority to be appealed to, because, had the right of peremptory challenge been found objectionable under the temporary constitution of the system, it might have been omitted; but it was never objected to, and was made permanent by the act of 1819. Upon principle, a certain amount of peremptory challenge seems to follow, as a necessary consequence of a jury being chosen by ballot, which might be said to create a necessity for it, quite as much to the prosecutor as to the prisoner. But in proposing this part of the measure, he meant to ask the smallest number of challenges which could be considered beneficial. He wished to steer clear of all technical difficulties;—as little as possible to disturb present arrangements. He meant to propose a right of *three* peremptory challenges to the prosecutor and the same number to each prisoner. He was aware that three might appear a very small number, but he understood that four in the jury court was found to answer well; and if it should be deemed proper, he should not object to the number being made four in the measure he proposed. But limitation of the number he did consider necessary; because, although it is stated by lord Royston, that a great assize of 60 had been summoned, they never in fact did now exceed 45. He did not mean to propose the introduction of talesmen, and it was his earnest wish to interfere as little as possible with the dispatch of business. As far as his own opinion went, he saw no sufficient reason against the number of the great assize being increased; but he wished, in introducing his measure, to avoid even any alteration in that particular. Such was the substance of the measure, which was, in the opinion of the hon. member, as little as possible liable to objection, on the ground of being an innovation, or a dangerous theory, because it was, if a theory at all, also a practice existing in every case, excepting the particular instance in which it was his wish to make the alteration. He wished to take away the only case in which the practice varied from the theory, in what was undoubtedly wise and useful; and to render the practice of the Scotch criminal law, similar to the practice of jury trial, throughout every other branch of British judicature. He could not resist again noticing the peculiarity in the Scotch criminal law, that the jury consists of 15, and decides by a majority; so that eight persons may condemn to transportation, while seven desire to acquit; so that a prisoner *may* suffer by the voice of one man, and that man he could not prevent being one of the 15, who were to try him. The judge names, and the prisoner cannot object; at least the power of objection cannot be said to be worth the having, and is never almost attempted to be used, and still more rarely sustained. Very different is the case in England, where a prisoner may, and does, every day challenge numbers proportioned to the degree of his crime, and after he has made his challenges and obtained a jury as favourable as he thinks he can, 12 men must agree in their verdict of guilt and condemnation, before he can be convicted. [Hear, hear.] This was, indeed, a striking contrast between the condition of a prisoner in the two countries; he stated it not to undervalue the law of Scotland, which embraced many great and admirable provisions, but to show that it was most important to remove defects, and to select a moment for safe and judicious amelioration, when it could be done without the slightest imputation upon the conduct of any one. He most anxiously wished, in proposing this measure, to gain what he deemed a great and valuable object for his country, and to do so with the least possible change in its institutions. He made this attempt in the firm belief, that all judges who were invested with a power which he proposed to withdraw from them, would be grateful to the legislature, for a measure which relieved them from an odious responsibility. In all cases of crime, the present practice was at least inexpedient; but in offences against the state, the law was monstrous and anomalous, and coupled with the power of the court to award punishments for political offences; modelled on the practice of times, which did no honour to Scotland. It was indeed, important to rescue the sacred tribunals of criminal justice, from the possibility of future reproach [Hear, hear.] He understood, that other improvements were contemplated by official persons. He had long wished to call the attention of parliament to this subject, and he did not choose to surrender it to any one; and had the learned lord been present, he was well assured that he would have had every disposition to give the measure his most favourable consideration. [Hear, hear.] The hon. gentleman concluded by moving "for leave to bring in a bill, to alter the mode of choosing juries, to serve on criminal trials in Scotland."

Lord *Binning* assured the hon. member who had brought forward this motion, that he felt as deeply as he did, the necessity of the regulations and improvements he suggested, but he lamented he had thought it necessary to introduce into his speech so many topics unconected with the subject matter of it. He lamented particularly that he had entered so minutely into the nature of the office and appointments of his hon. and learned friend, the lord advocate, at a time when that noble lord was absent from his place. He did not feel himself competent to answer the hon. gentleman either in the extraneous matter he had indulged in, or in his legal argument; but there was one part of his hon. friend's preliminary matter to which he would advert, and he was only induced to do so by the formidable sound of the words "arbitrary punishment," on which his hon. friend had commented. This arbitrary punishment, as it was called, consisted only in the court being empowered to pronounce sentence of transportation on a prisoner who had been put to the bar to be tried, perhaps for his life, but in whose case the lord advocate had restricted the libel to an arbitrary punishment, thus taking from the court the power of pronouncing sentence of death. Having said thus much, he should not follow his hon. friend through the other topics to which he had adverted. With respect to the bill, he had no objection whatever to its being brought in and read a first time. The subject was unquestionably one of very great importance; and in what his hon. friend had said respecting the impropriety of having juries impartially appointed, he fully concurred. But he would suggest to his hon. friend, that, if he had a practical object in view, he should content himself at present with reading the bill a first time, and having it printed, and then letting it lie over until it should have received that mature consideration which its importance required.

Mr. *M. A. Taylor* said, it was rather unparliamentary that his hon. friend should be assailed because he brought forward the motion in the absence of the learned lord, whose duty it was to be present. He did not see why, if the lord advocate was absent, their tongues were to be tied; the noble lord should rather have apologised for the learned lord than have inculpated his hon. friend. His hon. friend had brought to view the arbitrary power exercised by the court of Justiciary, to instances of which he (Mr. T.) had happened to be witness in a case, the details of which were printed, and which was also to be found in the debates of that House: he meant the case of Mr. Muir and Mr. Palmer. He (Mr. T.) had been in the House at the time of the debate, as well as in Edinburgh at the time of the trial, and certainly, in common with many others, he did not think the verdict was that which would have been given by an English jury. He had on this point the testimony of a man of no mean authority, who was present the whole time, he meant the late sir S. Romilly. Mr. Erskine, a lawyer of the very first eminence, had told him, that on that occasion the Court of Justiciary had misunderstood the law, when they sentenced the prisoners to transportation. The law said that persons convicted of sedition should be banished from their "pleasant fields and native homes." But this never had been understood, or could be honestly interpreted, as giving a power to transport the prisoner to a particular place, as they did those prisoners to Botany Bay. The case was brought before the House of Commons by the present commissioner of the

Jury Court (Mr. Adam); the Judges escaped censure with very great difficulty, and no one who heard that debate,* could suppose that the law gave the power assumed of banishing beyond the seas for sedition and libel. But, forsooth, they were not to speak of Scots law, unless the lord advocate was present! In the House of Lords, the chancellor decided on Scots law, though no Scots lawyer, and in that House, even if the lord advocate had been present, he should take on himself to decide according to his own judgment.

Mr. *J. P. Grant* regretted the absence of the lord advocate. He rose solely for the purpose of correcting the noble lord in what he had said respecting the arbitrary power of the Judges of justiciary in Scotland. The noble lord had represented that power as being confined to the pronouncing of sentence of transportation, in cases where the public prosecutor had restricted the libel to an arbitrary punishment. But the truth was, that this was a modern assumption of power on the part of the judges, which he was prepared to prove they did not legally possess. The utmost extent of their power being merely to banish forth from Scotland, they had assumed the same power of transporting to a foreign settlement as was allowed under the statutes of England. In a very recent case, in the face of a unanimous recommendation from the jury, the court, in the exercise of its lenity, had sentenced an individual to five years' transportation.

Lord *Binning* explained. He had not said that the court of justiciary never exercised the power of sentencing to transportation, unless where the offence was a capital one. What he had stated was, that what was called an "arbitrary punishment" was in fact a leniency, because the punishment was only so restricted in cases of capital offence.

Leave was given to bring in the bill.

SMUGGLING-PREVENTIVE SERVICE.] Mr. *Warre* wished to receive some information as to the intentions of his majesty's government with respect to the mode generally pursued throughout the country, for the Prevention of Smuggling. He understood that the chancellor of the exchequer was not dissatisfied with it, but he (Mr. W.) had many objections to it. A peculiar and new system prevailed on one part of the coast. From Beechy-head to the mouth of the Thames, he believed there were armed patroles stationed all along the coast. These patroles were under the command of naval officers, principally midshipmen. This system might have the effect of suppressing smuggling; but he thought it injurious to our naval officers. He wished to ask any of the lords of the Admiralty opposite, whether of all services this was not the worst to employ a midshipman in? He had no society, and was subjected to every species of temptation. There were some provisions in the act for the prevention of smuggling, of which the House was perhaps not aware:—for instance, a person found in the act of landing one pint of foreign spirits, was liable to a penalty of 100*l.* An instance of the impropriety of this clause had come within his knowledge: a mariner who had been absent on the sea for two days, on landing on his return to his wife and family, was detected by one of these lieutenants with a single pint of spirits in his pocket. He was immediately conveyed before a magistrate, who was called upon to inflict the fine. The magistrate, who under this act, had not the power to mitigate the fine, knowing the man to be perfectly honest, and knowing that he must go to jail if he complied with the provisions of this act, absolutely refused to do so. He hoped this act would be revised.

Sir *G. Cockburn* stated, in reply to the representation of the hon. gentleman with respect to the midshipmen in the Preventive Service, that one of the lords of the Admiralty had lately been sent to inspect and report on the state of these officers and the service in general, and the report made with respect to them was of the most gratifying nature. The midshipmen were found to conduct themselves in the most respectable manner; they messed together as the officers in the army did, and were in every respect in a state of the most perfect discipline. These midshipmen had passed their examination for lieutenants, and had therefore already learned their business. They now conducted this service in a manner that could not be excelled, and it was satisfactory to the Admiralty to be able to give them this employment in time of peace, at the same time that they became valuable to their country by protecting its revenue. They had also achieved many gallant actions. The smugglers now-a-days came down upon them in armies, and they had had regular battles, in which some of these midshipmen had been killed and wounded. From every information they had been able to obtain, it was impossible that they could conduct themselves better, or the duty be better performed.

---

* For the Debate on Mr. Adam's Motion respecting the Trials of Mr. Muir and Mr. Palmer, See New Parl. Hist. v. 30 p. 1486.

MALT DUTIES BILL.] On the order of the day, "That this Bill be now read a second time,"

Mr. *Creevey* rose to oppose the motion. He had, he said, two or three short reasons for resisting any bill of supply under existing circumstances. The first reason was, that although the House had been sitting for three weeks, no estimate of the public expense had yet been presented to the House from any department of the administration; and he would not consent to grant the public money to any department, until a clear statement of the ground of its application were previously communicated to the House. In this resolution, indeed, he was the more confirmed by the language which he understood was unreservedly used about the Treasury, and which was generally believed by its adherents—namely, that the present would be a very short session, that all the public business would be over before Easter; that is, that ministers were safe, that the Queen was sacrificed, and that nobody cared about money. The estimates then should have been sooner presented. They ought, indeed, to be two or three weeks before the House, in order that such members as were disposed to attend to their duty, might have ample opportunity of examining those very voluminous and complicated documents, which, according to the existing practice, were seldom above a night or two on the table before the House was called upon to pronounce a final vote respecting them. Upon this, and upon other grounds, he felt it his duty to oppose the grant of any supply, until the will and the wants of the public were attended to by ministers. He had been told, that a certain lay-lord of the Admiralty (sir G. Warrender) as he was called by some, but whom he would call a sinecure and sham lord, had been heard to declare, in those circles of which this lord was such a splendid ornament, that he would come down and inflict signal punishment upon him, if he persevered in his purpose to resist the supplies: but still he was determined to persevere, notwithstanding this frightful denunciation, for he had already found that some good resulted from his perseverance. The chancellor of the exchequer had endeavoured in some degree to satisfy the public desire for economy and retrenchment, by stating that within this year there would be a reduction of one million in the national expenditure. It had not, however, been stated by the right hon. gentleman, in what department such reduction would take place. But to return to the threat of the lay-lord of the Admiralty; he begged to express a hope before the friends whom this lay-lord had invited to attend his benefit, that he would be graciously pleased to carry his threat into execution with some clemency, that he would condescend to mitigate his punishment for old-acquaintance-sake, and from a recollection that he was once himself a tip-top patriot, and one who combatted much for retrenchment.

The *Chancellor of the Exchequer* said, that the House had already considered the number of seamen, for instance, to be voted for the service of the year. Would it not then be something inconsistent if the House were afterwards to withhold the means of paying their wages? The present were not new taxes; they were part of those which were usually granted. As to the estimates, the utmost haste was making to have them ready, and he hoped they would be laid before the House next week. No measure would be introduced respecting them, until they should have been a sufficient time in the hands of members.

Sir *R. Wilson* thought it was the duty of members to oppose any grants of supply while ministers continued to act in opposition to the declared wish of the people. It would not be regular to say that the majority of the House had, by last night's vote, declared war upon the people; but he would maintain that, as a majority on the other side persisted in not listening to the prayers of the people, it was but a fair exercise of their privilege, for members on his side to retaliate by refusing to grant any supplies.

Sir *T. Lethbridge* said, he had as much of that constitutional jealousy with which the grant of supplies ought to be exercised, as could be found on the other side of the House; but still he could not concur in the objection to the present bill.

He thought it necessary to support ministers on that occasion, and he could not but regard the opposition now given as vexatious. At the same time, as an independent member of parliament, he wished every possible saving should be made in the present distressed state of the country, and would concur in any measure which should have that effect.

Colonel *Davies* was glad to hear such sentiments as those which had fallen from the hon. baronet. He could assure him that the objection to the present motion arose solely from the wish to correct a grievance. He, and his friends wished to have it understood, what retrenchments it was the intention of ministers to make. In their present course they only exercised the undoubted privilege of the House to refuse all supplies, where a grievance complained of was not remedied. But for such refusals of supplies they might not now be existing as a House of Commons. When he saw ministers wholly regardless of the prayers of the people, he thought it the duty of members who had the interest of their country at heart to exercise their constitutional privilege in opposing the money grants.

Mr. *Hume* was surprised to hear the term "factious" applied to gentlemen on his side of the House. He considered that the term would be more applicable to the other side, and that the majority of last night was factious in the highest degree. [Order, Chair.]

The *Speaker* said, he would first remind the hon. gentleman that the word factious had not been used by any member. If such word had been applied to any portion of the House, he would have considered it disorderly; but certainly to apply the term factious to a majority of that House was still more disorderly.

Mr. *Hume* said, he was sorry for having used the word, which he had mistaken for the word vexatious. But he begged to say that he did consider the majority of last night as most vexatious, being calculated only to produce vexation and disappointment in the country. He prophesied that the vexation would not end here, nor end at all, unless measures of a conciliatory nature were adopted. That decision he had no hesitation in saying, was in opposition to the declared opinions of nine-tenths of the people. Under these circumstances he considered it his duty to oppose the granting of any supplies.

Mr. *Mansfield* did not consider the hon. member was justified in applying the words "factious and vexatious" to the majority of the preceding evening. He was one of that majority—and would say, that to the best of his judgment, in voting as he did, he had used an honest and a sound discretion, and did not deserve to be called either factious or vexatious. He perfectly differed from the hon. member too, when he declared that that House did not speak the sense of the majority of the people. He knew that in the place he came from, a party not inferior in numbers, but infinitely superior in respectability, held opinions directly opposite to those of the hon. gentleman. He had no wish to say any thing that might hurt the feelings of an unfortunate lady whatever he might think of her conduct, and he had therefore carefully abstained from saying any thing on the subject on several occasions, but it was too much to sit there night after night, and hear it asserted that, deciding as they had done, the House had voted against the wishes of the people. He did not believe any thing of the kind. If, however, he did believe it, he would still contend, that it was the duty of members of that House conscientiously to act on their own opinions. This, however, was not his argument. What he meant to assert was, that if the voices of his constituents could be collected from one end of the county of Leicester to the other, he was confident the majority, in numbers and in respectability, would approve of the decisions come to in that House.

Sir *J. Newport*, though he thought it desirable to look carefully at the conduct of ministers in order to find out where retrenchment could be effected, did not see why the supply being already voted, the means should be withheld. He however thought the estimates ought to be laid before the House in the first week after the meeting of parliament. In war time this might not be easily done; but during peace there was no cause for not doing it. He should feel disposed to resist any new motion for supplies before the estimates were produced.

Mr. *J. Martin* was determined not to vote away any more of the public money until a more clear mode of keeping the accounts should be adopted.

The question being put, "That the bill be now read a second time," the House divided: Ayes, 71. Noes, 22.

List of the Minority.

Barrett, S. M.
Bennet, H. G.
Bernal, R.
Davies, T. H.
Denman, T.
Fergusson, sir R.
Folkestone, lord
Hobhouse, J. C.
Hume, J.
Hutchinson, hon. C.
Kennedy, T. F.
Lambton, J. G.
Lloyd, sir E.
Martin, R.
Monck, J. B.
Palmer, C. F.
Parnell, sir H.
Pryse, P.
Ricardo, D.
Sefton, lord
Western, C. C.
Wyvill, M.

TELLERS.

Creevey, T.
Wilson, sir H.

HOUSE OF COMMONS.

Thursday, February 15.

CASE OF THE BOWDITCHES.] Mr. *Warre* rose, in pursuance of notice, to make a motion, which was in fact for information only, in the manner in which he meant to put the case. It was true that he meant to ground upon this information an ulterior measure, in the hope of obtaining some compensation for parties who had suffered such unmerited punishment. The circumstances to which he was about to call the attention of the house had been already familiar to the public—he meant the case of a family of the name of Bowditch and others, who were tried nearly three years ago at the assizes at Taunton, for the forcible abduction of Miss Glenn. Upon the evidence of that young lady, the parties were convicted; but at a subsequent period the statement given by Miss Glenn was found so inconsistent with truth, that she was prosecuted, and convicted of perjury in the evidence she gave which led to the conviction of the Bowditches. In consequence of that conviction, immediate steps were taken to obtain the mitigation of the unexpired part of their sentence; Mr. Harmer, a professional gentleman, was employed to prepare a memorial to the Home department, setting forth the new situation in which the Bowditches were placed, by the verdict against their prosecutrix. Notwithstanding the presentation of that memorial to lord Sidmouth, the Bowditches were detained in custody until the full expiration of their sentence. It was the circumstance of their detention between the period of Miss Glenn's conviction and the termination of the full sentence, that he complained of, and after the fullest consideration of the whole case, he felt it necessary to call for an inquiry into the particulars of the full imprisonment of the family to which he alluded. The mother of the Bowditches, although sixty-eight years of age, was suffered to remain in prison for the space of twenty months; her son, who also endured his full imprisonment, and who was a farmer, would have been ruined had it not been for the kind assistance of his friends, who looked after his affairs while in prison. Taking into view the whole of this case, he had hardly heard of one more entitled to compensation for the parties who had suffered, owing to the unfortunate credit which was given by the jury to Miss Glenn's evidence. So powerful had the influence of that testimony been, although it was afterwards clearly proved to have been false, that the judges refused the application of the defendants for a new trial, and stated that they saw no reason to touch the conclusion to which the jury came upon the trial. What in his judgment peculiarly required explanation was, why the Bowditches should have been detained in prison after the verdict of perjury found against their prosecutrix. He concluded by moving, for "a copy of the petition to the Home Department in behalf of the Bowditches."

Mr. *Clive* highly applauded the motives of the hon. gentleman, and was willing to afford him every information in his power; from which he believed he would find that the petition had not been neglected by government. In the subsequent trial alluded to by the hon. gentleman, the case of perjury against the prosecutors of the Bowditches was so clearly made out, that the lord chief justice, who presided at the trial, drew up a memorial to the Home department on the subject. This memorial was presented in October last, the original trial and sentence of the Bowditches having taken place in 1819. In consequence of the representation of the lord chief justice, Mrs. Mulraine was released from prison, upon the royal pardon being extended to her. One of the Bowditches had already suffered his term, and the sentence of the other two then in gaol did not appear to be at all affected by what transpired at the subsequent trial in question. It did not therefore appear necessary or proper to interfere with their punishment. The evidence was still strong against them as having forcibly carried away Miss Glenn.

Mr. *Warre* said, that had he known a distinction had been taken between the defendants upon a subsequent review of the case, he should not have made his motion. His only desire was to obtain an explanation, and that being given he had no desire to press it farther.

Lord *Castlereagh* said, the question at issue appeared to be with respect to the three remaining prisoners. One woman had been released at the instance of the lord chief justice; but he did not see that because he had made application in behalf of that one, it at all affected the other prisoners.

Mr. *Bennet* said, that the explanation given did not satisfy him; for if Miss Glenn, upon whose testimony the Bowditches were convicted, had perjured herself, then he was entitled to say, that the crime had not been committed which she swore to at first; and it followed that the parties ought not to have been continued in custody.

Mr. *Bankes* assured the hon. member, that from private information, which he unfortunately possessed respecting the whole transaction, the view taken of the matter at the Home-office was the just one.

The motion was then withdrawn.

The Queen — Church of Scotland.] Lord *Archibald Hamilton* said, that in rising to make the motion of which he had given notice, for a copy of the order in council, directed to the General Assembly of the Church of Scotland, relative to the erasure of the Queen's name from the Liturgy, and also for the copy of a letter relating to the arrest of a clergyman in Scotland, he was sorry to find that there was every probability that a motion which he originally thought would be conceded was now to be opposed. This anticipation he formed from the extraordinary declaration of the noble lord opposite that this motion must be considered as a disgrace to the order-book of that House. He was anxious to give the noble lord an opportunity of disclaiming that expression, or of stating the grounds upon which he had used it. Knowing the influence of the noble lord upon the majority of that House, he was most anxious, before that influence was put into complete activity, to state the grounds which he deemed justificatory for submitting this question to the consideration of the House. It was a matter of general notoriety, that when the alteration in the form of the Liturgy took place, after the death of the late king, an Order in Council, precisely similar to that issued in England, was sent down to the General Assembly of the Church of Scotland. It was forgotten by the parties who had sent it, that the religion established in Scotland was wholly independent of the Crown, wholly independent of the Privy Council, and indeed wholly independent of any control, except that of the General Assembly of Scotland. Now, this order in council purported to be one to which obedience was lawfully due. It was issued on the same day with the English order in council by virtue of which the Queen's name was omitted in the Liturgy: it was drawn up in exactly the same terms, and signed by the same names, the archbishop of Canterbury, &c. &c. It had, however, received a different fate from that issued in England. And he meant to state, and without using a sarcasm, that due and proper obedience had been paid to the order sent to Scotland, by not obeying it at all. It was very singular that any authority should take upon itself to issue an order to a power which neither could be asked to obey it, nor which would obey it. Such an order could not be thought of without derision. There were, so far as he could learn, two grounds upon which obedience was required to this order in council. The order itself recited two acts of parliament, the 10th of Anne, and the 32nd of Geo. 3rd, but omitted that which they ought also to have stated —the chapters of the acts to which they referred. He had, however, by his own investigation, aided by that of some friends, at length discovered the chapters, or rather believed he had discovered them—for he could only at present upon that point speak conjecturally, the order omitting all reference to the particular parts of the acts which were relied upon. He must say, at the outset, that he believed the orders in council were issued upon acts which conferred no authorrity at all in the case. He should have thought that in the case of Scotland, the moment the subject was reconsidered, the parties issuing the order would have come forward and recalled it, with an acknowledgment that it had gone forth through inadvertence. He expected they would have either done that, or acknowledged that, although sent, they had no intention it should have been obeyed. In his opinion, the order was either impotent or illegal;—impotent, if they knew it would not be obeyed—illegal, if it were to be obeyed without any proper authority. If it intended any thing, then he must pronounce it illegal; and if it could lead to nothing, he must call it impotent. So that, in either case, he must beg leave to say, that such an order reflected far greater disgrace upon the book of the Privy Council which issued it, than his motion could possibly do upon the order-book of that House, according to the opinion of the noble lord opposite. The first case in Scotland to which he meant to call the attention of the House, as following the arrival of the order in council in that part of the empire, was that of the county sheriff acting at the sessions of Kirkcudbright: and here he particularly begged their attention to the parties who were called upon to give efficacy to the order. At the sessions to which he alluded, there met, the sheriff, his son, a colonel of the yeomanry, and the clergyman. At that meeting, the sheriff, his son, and the colonel, agreed, that in compliance with the order in council, they should prevent the Queen from being prayed for in the Liturgy. The clergyman, however, dissented from their opinion, and refused to omit the prayer for her majesty's name. The matter was then referred to the Presbytery, who approved of the conduct of the clergyman, disapproved of the order in council, ordered the minute of the sheriff's approval to be erased, and the parties to appear before them for reprimand, and the whole decision to be read in the church. Surely this was throwing great obloquy upon the order in council, and which, if that order were legal, must be attended with some penalty. The second case to which he wished to call the attention of the House was that of another sheriff of a Scotch county, who was also a colonel of yeomanry. The colonel (Gordon) asked the clergyman of his district whether he was a party to any agreement not to omit the prayer for the Queen in the church service. The clergyman replied very properly that he would act in obedience to the law of the land. The same clergyman, at the end of a sermon which he preached—one which was, as the learned lord opposite must admit, remarkable for nothing but the propriety of its language and sentiments—at the end of that sermon the clergyman, after praying for the king, said "and bless likewise the Queen." For that offence the clergyman was on the same day (Sunday) put under arrest. [Hear, hear.] He begged to be understood as not meaning that he was put under actual personal restraint; but merely that he was desired to consider himself as arrested, and the arrest was continued for some time. Would the noble lord opposite contend that such an act as this was not matter worthy of the consideration of that House? For his own part he should only say, that nothing should induce him to suffer such an attack upon the freedom of the church of Scotland to pass unnoticed; no political bias should operate to deter him from bringing the matter before the House. He made this declaration with perfect temper, yet in a firm tone, although he should not suffer himself to press the matter with warmth, notwithstanding the unprovoked observation of the noble lord opposite respecting his notice. It might perhaps be said, that there were precedents for the course pursued in Scotland. To this he should reply, that the precedents, if invariably wrong, ought to have little influence upon the judgment of that House. And he must say, that if ever a precedent occurred which ought to have been closely scrutinized, it was this, which obviously tended to augment discontent at a moment of very general irritation and excitement. The haste with which both the English and Scotch orders were issued was very evident: nothing could show the promptitude, haste, and inadvertency of the proceeding, more than that when ministers were called upon to explain their conduct, they were unable, at the moment, to point out the precise parts of the acts of parliament upon which they were prepared to justify their act. He would now read the document, which was really of a most remarkable character: he could hardly assert positively that this was a copy of the order in council, but it had been published in a Scotch paper as such, accompanied by the following letter, signed "James Buller." "You will herewith receive a copy of an order in council for making the requisite alterations in the prayers for the royal family, as far as regards the Church of Scotland, and you will be pleased to see due obedience paid to it." Here, let it be observed, that alterations were ordered to be made in the prayers of a church which had no prayers to alter.

Then followed the order itself, addressed to the moderator of the General Assembly, over which the privy council had no more authority than they had over the city of Constantinople. The noble lord here read the order, and observed, that the injunction "to pray in express words for his majesty George 4th, and all the royal family," was marked by inverted commas. There was only one thing wanting to make this order the most complete piece of absurdity that he had ever met with, and that was, a charge to the bishops to carry the order into execution, there being no such personages in the church of Scotland as bishops. The order, the House would have perceived, referred to the 10th of Anne, which enjoined the clergy of Scotland to pray for her majesty and the princess Sophia; but it ought to be borne in mind, that there was in queen Anne's time some reason for passing such an act, the pretender being then prayed for by name in many of the churches. That personage was in point of fact often prayed for under the name of the king. The frequency of the practice had given rise to the well known distich—

> "Who the pretender is and who the king,
> God bless us all, is quite another thing."

It was on this account that an act then passed to pray for queen Anne and the princess Sophia, in direct terms. If that act was now in force at all, it required the Scotch clergy to pray for queen Anne and the princess Sophia, and for nobody else, as, unlike the English act of parliament, it gave no power to alter the names from time to time. The other act recited in the order was the 32nd of George 3rd, and it was absolutely ridiculous to see it quoted, for no part of it had any more application to the present order than a chapter in the Koran. The 32d of George 3rd, related solely to the Episcopalians of Scotland, and it was therefore preposterous to quote it in support of such an order as this, which was directed to the established clergy of that country. It might perhaps, be shown that orders in council had formerly been addressed to the clergy of Scotland; but of this he was sure—that whenever such an order had produced any effect on the church, it had only been through the recommendation of the general assembly, and not from any force in the edict itself; and this in fact, had been the case on the marriage of the present king. All he wished to learn was, on what ground the learned lord defended the proceedings which had taken place in consequence of this order. The two cases he had stated were those of the Kirk session and the arrest: the sheriff was at the bottom of both proceedings, and apparently all was done under official sanction. The case of arrest was one which particularly called for the sympathy of the House; for the clergyman on whom that outrage had been committed was an individual of the utmost respectability of character who, so far from allowing his zeal in political matters to carry him too far, was one of the most moderate and temperate members in all the church. But, was a clergyman to be put under arrest, because he refused to pray, as he expressed it himself, "by word of command?" Let the House only reflect on the situation in which the church of Scotland was placed by this order—a situation which left the clergy no alternative, but either to disregard an order of the king in council, or to forfeit the respect of a great portion of their parishioners.—The other motion which he was about to submit was for the production of the letter addressed by lord Sidmouth to colonel Gordon, on the subject of this clergyman's arrest. He had omitted to mention that, in consequence of that arrest, a correspondence had been commenced with lord Sidmouth, which had afterwards been transferred to the lord Advocate of Scotland; and as his object was, to go to the fountain head, he had preferred calling for the letter of the former. That letter must either justify or it must condemn the arrest. If it justified it, it did great injustice to the clergyman; and if it condemned the proceeding, it necessarily implied the condemnation of the order in council, in vindication of which the arrest had been made. There were several other points connected with the subject which he had not mentioned, because he was reluctant to trespass on the time of the House; but he appealed to the House whether he had not said enough to show, that his motion was not a disgrace to the order-book. Such a charge was unjust in itself, and was rendered still more so by being made at a time when it was not in his power to repel it. The noble lord concluded by moving, "that there be laid before this House; A copy of the order in council, of 12th February, 1820, as transmitted to the moderator of the General Assembly of the church of Scotland. 2. A copy of any letter or letters which may have been written by lord Sidmouth to colonel Gordon, of Kirkcudbright Yeomanry Cavalry, or to the lord lieutenant of the county, during the year 1820, relative to placing the Rev. William Gillespie, officiating chaplain of said corps under military arrest, by the said colonel Gordon."

Lord *Glenorchy* considered the order in council to be a breach of the fundamental principle of the church of Scotland, which admitted of the intervention of no superior authority with regard either to its discipline, the internal regulation of its affairs, or the topics to be alluded to in its public worship. This principle, as the history of Scotland showed, was long contended for both by word and act, and it had been established and ratified by the blood of persons who had thought it an object worthy to be fought for. It had been secured to Scotland at the union of the two Crowns, by several acts of parliament, and it was so fully acknowledged, that he was surprised this order in council had ever been issued. The act of queen Anne was passed under particular circumstances; and, as it was intended for the security of the succession, those who were interested in the privileges of the church of Scotland thought it unnecessary to interfere. It was not, however, on that account to be regarded as a precedent to be acted upon on future occasions. Although this order might not be dangerous in itself, yet as its object embraced subjects of religion, and a matter which had excited the attention of the whole country, it assumed an importance which it would not otherwise have possessed. The people in Scotland had ever been considered a highly religious people, and were well qualified by their education to weigh the motives of human action. He was convinced that they had well weighed the motives from which this order had emanated, and he feared they had been unable to find any good motive in which it could have originated. Was it sent down to promote the happiness of the country?—to promote the dignity and honour of the Crown?—to promote purity of religion and sanctity of morals? He had endeavoured to weigh it by these considerations, but had been unable to perceive how it could possibly have a tendency to promote any of these objects. He could find no other motive for it than a desire to gratify an uncharitable and vindictive feeling towards an injured individual.

The *Lord Advocate* was almost persuaded that, notwithstanding what had been said by the noble mover, it would not be necessary for him to trespass long on the attention of the House. The noble lord professed to have made this motion for the purpose of raising the question on what grounds this order was justified, and that question he was perfectly prepared to meet. He thought the motion did the noble lord no discredit: it was perfectly consistent with the uniformly praiseworthy conduct of the noble lord, in watching over the interests of Scotland, and bringing under the notice of the House every subject connected with that country which might require investigation. He was sure, therefore, that the noble mover must have misunderstood the remarks in which he supposed his noble friend to have called the present motion a disgrace to the order-book. He had been lately in the habit of paying pretty close attention to the discussions in that House, and he certainly was not aware that any such statement had been made by the noble lord near him. Before he proceeded to answer the question involved in the present motion, he begged to assure both the noble lords opposite that he was by no means disposed to undervalue the rights and independence of the church of Scotland. It might perhaps be enough for him to say that ministers, in advising this order in council, had acted on the uniform practice of upwards of a hundred years. But he did not mean to rest the justification of the measure on usage: he would meet the argument fairly, and would say, that the issuing of this order was a legal exercise of power—that the king in council had in this case exercised a right founded on the law of the land. He was glad that it was not necessary for him to enter into the general question of the propriety of omitting the Queen's name in the prayers of the church; and he should accordingly confine himself to the proper question before the House; namely,—whether the Privy Council had a right to issue this order to the General Assembly of Scotland. That the right existed he contended, and he founded it on the act of the 10th of Anne, chap. 7, sect. 10. By this enactment he conceived that the order in council was fully warranted. He did not say this on his own authority, but on such authority as, he believed, would be convincing to the whole House—he meant the decisions of the supreme court in Scotland, by which individuals had been punished for refusing to pray, not for queen Anne or the princess Sophia, but for George I. If he understood the act, it said that every clergyman was to pray for queen Anne and the electress Sophia: and the only question was, whether the enactment inthat clause was intended to be confined to queen Anne and the electress Sophia, or to extend to every future sovereign and heir-apparent. He contended for the latter of these two interpretations; and in support of that construction he would refer to the proceedings which took place soon after the act was passed. The princess Sophia died three months before queen Anne; and if the act had been limited to them individually, he affirmed, that no other heir apparent could have been prayed for without the authority of a new act of parliament; but if it should appear that an order of council had been sent down to the church of Scotland directing them to pray for the next heir apparent, that would be proof that the act extended to every future sovereign and heir apparent. It happened, however, to be the case, that an order in council, dated the 21st of June, 1714, was sent down, ordering every minister to pray for queen Anne and the elector of Brunswick; and a few months after, on the death of Anne and the succession of George I, a similar order in council was sent to Scotland, enjoining the clergy to pray for his majesty George I. The origin of the act of queen Anne was this; the clergy in Scotland had been in the habit of praying for the king, but not by name: and as it was well understood that many of them meant the pretender, this act was introduced for the purpose of tying them down, in express terms, to the name of the Sovereign. It had been held, that that act of queen Anne applied to king George or the existing monarch, notwithstanding the limitation of its terms; and persons were indicted before the supreme court of Justiciary in Scotland, for that offence. By the various decisions of that court, it was held that the statute of Anne was "not limited to queen Anne alone, but was meant to apply to the reigning sovereign of the day." Of the authorities to which he had occasion to refer, some were within the reach of every person who heard him; but two of them he should cite from the State Trials of which he would give both page and place: the others he had extracted from the records of the justiciary court of Scotland; and he trusted the House would give him credit for the fidelity with which he had transcribed them. That the construction for which he contended was correct, the following cases would show—In January, 1715, there was the case of Robert Anstruther;—and on the 30th of January, in the same year, that of George Hay; in both of these, indictments, laid under the act of queen Anne, were found in the court of justiciary. But, although they were found relevant in the phraseology of the Scottish law, they were not followed up by any degree of punishment against the parties; and therefore, as there was no verdict found by a jury, he would content himself with thus briefly noticing this case, and passing to another. The next case was that of William Guthrie, in July, 1715; who was indicted for "the frequently omitting to pray for his said sacred majesty king George, the prince of Wales, the princess of Wales, and all the royal Family, during the celebration of public worship." as in express terms directed by act of parliament. This was the charge expressly laid against him:—"That the said Guthrie did omit to pray for king George, when public worship was performed," and so on; "and that the jury, for such offence, do subject him to the penalty of 20*l.* sterling, the penalty prescribed by the act." In Howell's State Trials, vol. xvii, page 782, he met with the case of George Robertson, who was indicted under the same statute, for having refused to pray for the king, George I. This last case went to a second prosecution, on informations laid by both parties. The defence set up was, that the party could not be indicted under the aforesaid act of parliament, by reason that his majesty king George, and the then prince of Wales, were not, by the act, desired to be prayed for. And the panel pleaded, that he prayed for all the royal family, which was all that the act required after the demise of the queen, and also of the electress Sophia.—He hoped the House would carry this in its mind, that the injunction which was here called in question was, that the clergy of Scotland should pray for all the royal family. The case of Daniel Taylor occurred in 1716; he, along with twenty other clergymen, was indicted for the same offence as in the preceding instances. The report would be found in Howell's State Trials, vol. xviii, page 1363; and there it was stated thus:—"The court finds that the panel, and the said other members of the presbytery, have omitted, at divers times, in express words to pray for his majesty king George, and the prince of Wales; and each of them relevant to infer the pain of 20*l.* sterling." This indictment certainly contained a separate statement of similar offences which were therein proposed to be proved; it being the custom of those courts not to leave any other questions arising out of one case to be settled afterwards. This case going on to proof, the jury found the panel guilty, and that they had become liable to a penalty of 20*l.* each, one half to go to the informer, the other to the poor of the parish. In March, 1717, no less than twenty-two Episcopalian clergymen were indicted; and this might be material to notice; for the act expressly directed that its provisions should be complied with, as well by the Episcopalian clergy as those of the kirk of Scotland. These clergymen were indicted at Edinburgh for not praying for the king. Their offence was aggravated by having been previously convicted on a similar charge; and their second conviction, by the act, rendered them liable to be deprived or suspended. They were found guilty, and a sentence of deprivation accordingly was issued against them. About the same time George Fairlie, James M'Lachlan, and another, on a like indictment, were also found guilty. This was on the 20th of January, 1718, when J. Small was indicted, the charge being, in addition to the one of "not having prayed for king George," for that he had prayed for the royal family, *saving* king George. He was convicted with the others; and they were all of them found guilty and severally fined in the same penalty of 20*l.* Now, whether the House should think these decisions right or wrong—such as they were, they were the decisions of the supreme criminal court of Scotland, and found under circumstances in which if the court had entertained any doubts upon their cases, those doubts would have availed the panels. If the judge or the jury, in their consciences, had thought that the parties might justly be acquitted, there could be no question but that they would have pronounced them not guilty.—This, then, being found by decisions of those courts, let them now see what had followed thereupon. He had already stated what took place in the reign of queen Anne, upon the death of the electress Sophia. Then followed the reign of George 1st and he had also said that on that occasion a regular order issued for the regulation of this subject as regarded Scotland. From that time, down to the present day, with only two solitary and in some measure, unimportant exceptions, when the prince royal and the prince of Wales were directed to be prayed for; but, otherwise, from the year 1714 down to this moment, whenever any alterations of the Liturgy of the church of England took place, by virtue of an order of the king in council, a like order had been sent down to the moderator of the church of Scotland, directing him to take the necessary measures for adopting a similar step there. The proceeding of the present government then, was one which had been universally practised for a long period of time by their predecessors; and it was complied with by the church of Scotland in these cases, as an act of due respect and consideration for the authorities of England. The following order, that which had been so directed to the moderator, was thus issued in complience with established custom; and he was sure that the House would go along with him in thinking, that nothing of disrespect was intended to be offered to the church of Scotland, or any other of those encroachments upon it which had been insinuated. He would now read the order of council directed to Scotland. It was dated the 20th February, 1820, "present, his majesty in council. In pursuance of an Act passed in the 10th year of the reign of queen Anne, and also of an Act passed in the 32nd year of his late majesty." Here he would remark, that he agreed with the noble lord opposite, that the latter statute was applicable only to the episcopalian clergy. For though, by it, they were required to pray in exactly the same words as the clergy of England, it might well be doubted whether it would apply to the presbytery of Scotland. Yet, even in this instance, he was prepared to say, that nothing but precedent had been gone upon by his majesty's government. The order went on :—" Wherein provision is made for that part of the royal territories in England, called Scotland, it is hereby ordered by his majesty in council that henceforth every minister, &c. in kirk or assembly, shall pray for his sacred majesty king George 4th and all the royal family; of which all persons are required to take notice, and to govern themselves accordingly." He could state, having seen the original document within the last few hours, that it contained nothing else. It was, in fact, a general order, directing prayers to be made for his sacred majesty king George 4th, and " all " the royal family.—After the statement he had now made, he thought that government, in issuing such an order, were completely justified, and that the House would be satisfied on this part of the case. Let him now observe, that the order was, to pray for the king; it did not bear in what terms he was to be prayed for; and he could readily believe, that if the minister chose to say " God bless king George," or whatever other form he might choose to adopt so long as it was a *bona fide* prayer for the king, that was a sufficient compliance with the act. But in England, the prescribed form was " his most sacred majesty." He would appeal to any Scotchman in that House, whether he ever heard, however, in the church of Scotland such a phrase as " his sacred majesty." No such thing was ever recognised in its service; but here the church was directed to pray for the king *nominatim*. He was ready to admit that, though the order thus required that the clergy should pray for king George and all the royal family, they were not excluded from praying for any particular branch of the royal family. And he was also free to confess, that if a clergyman might think proper to pray for the Queen also, *nominatim*, he did not see any thing illegal in it. But when it was asserted that such a prayer for the Queen was the universal custom of the church of Scotland, he stoutly and manfully denied it. When it was said that nine-tenths of the Scottish clergy so prayed, he would venture to observe, that he believed the ratio to be just the reverse. Certainly, individuals of that respectable profession were entitled to entertain in private what political opinions they pleased; and even to express them in public, provided they neither exceeded the moderation so becoming their character, nor interfered in such a way as to affect the discharge of their sacred duties or the peace and good-will which they were bound to uphold among all classes: but the clergyman who ventured to go beyond this point, and to obtrude such opinions, at a time when the public were divided upon them already, was only introducing among his neighbours the seeds of discord. He would venture to say, that by the fair construction of the acts which he had quoted, the clergyman was entitled to pray for the king and royal family in what terms he chose. If he pleased, he might pray for the whole family, for every noble family, in the vicinity, or for every man in the country by name, provided his congregation would stop and listen to him. But, if he should fail to pray for the king, by name, he would certainly be liable to the penalty of the act of queen Anne; and such clergyman so refusing, he should feel it his duty (if a case of the kind ever occurred), as public prosecutor of Scotland, to indict immediately; and no doubt had he, but that a jury of Scotchmen would find the individual guilty of a penal offence. Were ministers, then, to be blamed for acting upon the known decisions of courts of law? Still less, surely, were they to be accused of misconduct in following a uniform course of precedents, from 1715, down to the present day, wherein orders had invariably been so issued from England to Scotland—As to what the noble lord had said relative to a letter transmitted from the secretary of state, that was quite a different question, and one into which he was not bound to enter. The two subjects of the motion had no sort of connexion. They related to different circumstances, occurring at differing times. The facts of that case, had been very fairly stated by the noble lord. In the kirk session, it appeared that two members voted against the opinion of the third, " that during the vacancy, it was highly inexpedient that the clergy should pray for the Queen." He was not going to defend this proceeding; on the contrary, he thought it unwise, foolish, and illegal. But what happened afterwards? The presbytery, on receiving intelligence of the matter, saw at once the illegality of the act, and not only ordered that proceeding of the kirk session to be erased from the books, but cited the individuals who had originated it to appear before them and answer for their conduct. The parties did appear before the presbytery, acknowledged the irregulariy they had committed, and expressed their regret: the presbytery put an end to the whole proceeding, declaring themselves satisfied with the acknowledgment that had been so made. He could not therefore help saying, that after every thing which had taken place upon this business, it was now too late to bring the matter forward in parliament. Then came another circumstance, by no means connected with the other. The proceedings against the chaplain had nothing to do with the proceeding in the kirk session. In this case, the colonel of the yeomanry corps of Kirkcudbright made application to a gentleman, who was the chaplain of that corps, in order to know whether he should think it his duty to pray for the Queen by name or not? The chaplain, for reasons best known to himself, did not think proper to answer that application; which he could not help regretting, as it might have prevented what had followed. In every thing which had been said as to the character of this gentleman, he did most heartily concur; for he believed him to be a good and honourable man, and he knew him to be a true and loyal subject. At the same time, he regretted that he had not given an answer, declaring whether he did or did not mean to pray for the Queen *nominatim.* At that time, her majesty's case was the subject of general agitation throughout all Scotland: and he could certainly approve of the laudable anxiety of a commander of yeomanry cavalry, that at the next meeting of the corps there should be no discussions of political topics. In justification of the colonel, he, for one, could not blame him very deeply for his extreme anxiety on such a subject. Upon the return of the chaplain, that officer communicated to him that he must consider himself under arrest. That arrest was continued: it was not a close one, but he was confined within the limits of the county. It lasted, altogether, for about three weeks, in order to allow time for the colonel to ascertain the sentiments of government upon the business. The commanding officer made a communication to the lord lieutenant of the county, and by the lord lieutenant communication was made to the home secretary. The answer returned was, that as the lord lieutenant had not recommended any steps, no steps should be taken. The letter of the lord lieutenant had neither commended nor discommended the proceedings. When the answer of the home secretary was communicated to the commanding officer, he immediately intimated to the chaplain that the arrest was at an end. Government having thus refused to interfere, and allowed the individuals to settle the affair among themelves, there was no parliamentary ground for inquiring into it. How was the affair settled? The clergyman had threatened for some time to bring an action against the commanding officer: it had been suggested to him from various quarters, that it would be better that the affair should be settled by reference. This respectable person declined making a reference to any one, but the individual who was now addressing them. He had said to the clergyman, that he was the last individual to whom such a reference ought to be made. The clergyman, however, having persisted, he had accepted the reference. The award was not yet pronounced but the business was finished as far as the public was concerned. He submitted to the House therefore, that no ground had been stated for bringing the matter before parliament.

Sir *James Mackintosh*, in rising to make a few observations on the very candid speeches which the House had heard from gentlemen on both sides, upon the motion of his noble friend, felt actuated by that warm affection for the interests of Scotland, which neither the lapse of time, nor distance, nor occupation would ever eradicate from his bosom. After the speech of his noble friend, so replete with facts and argument, he felt disinclined to address the House upon many of the points which it had embraced and indeed disposed of; he should therefore enter only upon the general principles of the motion. He was the rather disinclined to follow those who had preceded him, with any thing like minuteness, as the noble lord who had seconded the proposition, had done so, in a speech full of promise and distinguished for its propriety; he had given his powerful support, moved by that generous spirit which had connected the name of his illustrious House with every struggle for the civil and religious liberties of Scotland. He could not help saying that, as a Scotchman, he greatly rejoiced to see illustrious descendants of those families who once divided the suffrages and the admiration of their native land, voting with each other in the debate of that night, and displaying a constitutional jealousy of the rights and privileges of the church of Scotland. He would endeavour to sketch a few outlines of the principles from which those rights and privileges were derived. For this purpose he need trace them back no farther than the period of the Revolution. The learned lord would remember, that one of the first acts of the convention which assembled at the period of the revolution was, to declare that prelacy was one of the grievances of the kingdom: not, he believed, that the Convention was actuated by any over-ruling desire of building up a new and peculiar form of church government, but by that principle upon which they immediately afterwards declared, that they would found such a church establishment as was compatible with the petitions and inclinations of the people. He conceived that at that period, whatever new lights we might since have obtained on the subject, those who were so concerned upon the event of the revolution were desirous to consult, even in their religious system, the feelings of the majority of the people. In that age they were not a matter of utter indifference. Acting upon this principle, and feeling that it was the duty of the legislature to respect such considerations, that convention published their intention of re-establishing the church government of Scotland. The sort of creed which accompanied their declaration contained, besides some of their ordinances, an outline of the theological principle of that church. One of the articles was, that the church had no head upon earth. He would not here examine how far this could be considered a sound principle for any established religion whatever. He would not inquire whether, in subsequent periods, this principle was not more flexible; but it was certain that the church thus established was allied to the state; and it was also well known, that it was recognised at the union; and since then, down to the present time, every monarch swore to protect the church of Scotland. If, then, any law was to be looked upon as a fundamental law, it was that which established the independence of the church of Scotland. He would not dispute the authority of an act of parliament; but he would say, that no act ought to destroy the contract made between two independent nations; that every act calculated to affect it in any way should be watched with the utmost jealousy; and that in its construction the original contract should be religiously attended to. As to the act of queen Anne, he could not think that it could bear a construction which would destroy that which all our sovereigns since had sworn to protect. He thought that that act should be construed by the most rigid rules, with reference to the independence of the established Church of Scotland, and it was upon these principles he was disposed to view it. The act of Anne had been passed by her last ministers, and had for its object the support of the Scotch Episcopalian church. It gave a general order to pray for the sovereign and the electress Sophia, and it wished to impose a like duty on all the members of the Presbyterian church. It was well known that there were at that time some of the old Cameronians, whose scruples hindered them from praying for what they termed an uncovenanted king. The act intended to strike at this objection from a party which at present was no more. The act required them to pray for queen Anne and the electress Sophia while living. Now he contended that the words "while living" did not apply less to the electress than to the queen, and so he was persuaded it would be decided by any court of law—that the act in this respect was temporary in its object, though permanent in its provision.—The hon. and learned gentleman then went on to show that the convictions to which the Lord-Advocate had alluded, were ill chosen. They were taken from a period of civil tumult and public irritation, at a time when one rebellion arose out of the ashes of another, when the minds of men were not under the calm influence of reason, but heated by those passions to which all civil commotions gave rise. At that time whole scores of nonjuring clergymen were brought up, to answer before, if he might use the term, a revolutionary tribunal. He did not use the term in any other sense than to show the excess of the zeal of the men who then exercised power. That zeal he did not blame, but he feared that it led them to be influenced more by that zeal than by a strict regard for truth. He fully concurred with the learned lord in his commendations of those who then governed, and who found it necessary to exert themselves strongly in putting down the supporters of legitimacy, as we now called it, but of the divine right of kings, as it was then termed—a principle which, by whatever name it was known, he considered an odious encroachment on the most sacred rights of mankind; but he certainly could not concur with the learned lord in the propriety of selecting examples from a period when the country was heated by rebellion, which examples were intended to have the effect of controlling an act of parliament. But suppose the examples were well chosen—suppose that by a laxity of discipline the 10th of Anne was necessary in order to have the king prayed for by name—if he were to concede this, what would it prove? It left the real question before the House untouched. The true question was kept quite out of sight by the learned lord. It was not of the express injunction, but the implied omission, which he complained. The order sent to Scotland was in effect the same as that circulated in England, and in England the sense of it was clearly understood to mean, that the Queen was not to be prayed for by name. Now what reason, he asked, had the general assembly of Scotland to understand it otherwise? The act of the 10th of Anne did not, he contended, give any power which would make this order to omit binding, because there was no recognized head of the church; and because there was no act of uniformity in Scotland. This, then, could not bind them. Indeed, the learned lord himself admitted that part of the order in council was absurd; and it must be evident that it was absurd to attempt to force in this manner upon the established church of that country, an authority similar to that exercised over the church of England, which the Scottish church had ever denied, and which had heretofore produced the effusion of so much blood. This, he contended, was the effect of the order; it showed an inclination on the part of those who issued it, to establish a control which that church had ever refused to submit to. The learned lord had argued, that it had been the practice of the Scotch church to acquiesce, since 1714, in adopting prayers recommended by the king in council; but surely the learned lord must know, that such acquiescence did not render it binding on the parties to adopt it. The learned lord himself had given the best answer to this, when he said, that any clergyman in Scotland might pray for the Queen by name, if he pleased. What was this, then, but an admission, that his majesty's ministers had thus exposed the royal authority to be treated with disregard, and as of no effect? The question was a most important one, as it affected the rights of the church of Scotland; if it were not so, the order might be left to the contempt which it had met: but here was an attempt to alter what had been a settled and fixed principle for two hundred years; and the ground on which it went was usage. The learned lord had asked whether this usage were not a justification of his majesty's ministers? And certainly, if this had been a question as to any criminal proceeding against them, usage might have been a sufficient reason for abstaining from such a proceeding. He should have been willing to admit such an argument, provided the rights and independence of the church of Scotland were secured by an acknowledgment on the part of ministers that their order in council was mere waste paper, that it was nugatory, impotent and ridiculous. However such a concession might affect the character of ministers, however it might convince this House and the public that they were anxious in their endeavours to retain their power, but slovenly in every thing that regarded the law and constitution, still he should have considered it a sufficient atonement to the insulted independence of the church of Scotland. But the learned lord considered the issuing of the order as a legal exercise of authority, and he seemed to rely upon the general assembly not having opposed it. There were various modes of evading a proposition without directly opposing it, and the general assembly had in this respect imitated the conduct of a more illustrious body, which was known frequently to pass by a question which they did not dare to meet. They well knew, that in other assemblies it was possible to get support by such means without wounding the feelings of individuals—they were well aware, from examples which were set to them elsewhere, that it was often thought discreet to get rid of a difficulty, by turning aside from the question out of which it arose. And how did they get rid of this question? By declaring, that it did not appear to them that ministers had any intention of injuring the church of Scotland; but, looking at the meaning in which the order was meant to be understood, they did not attempt to negative the proposition which was made. Could there, however, be any doubt that the real intention of the order in council was to omit the name of the Queen. Let the House look at what was done; a kirk session, which was something like our vestry, but that a vestry in England would not assume such a power, gave an order to a clergyman to omit the name of the Queen. Now this kirk session was not composed of ignorant men—of men who could not immediately see what the object of the order was: one of them was a sheriff of a county, who, as was well known, was an officer of very considerable authority in Scotland; the other was a judge of the supreme consistorial court. These gentlemen took the order in its general sense; not in the one which the learned lord now wished to have it understood. They took the natural interpretation of the order; and they accordingly gave the order to the clergyman to omit her majesty's name in the Stewartry of Kirkcudbright. But the learned lord had laid it down, that the order was not to be construed as binding any clergyman to the omission of her majesty's name; that the sense in which the kirk session had taken it was not the correct one; but still, he said, that he should have a better opinion of the clergyman who should understand it in that sense, and that it would show the clergyman to be of no party if he omitted the Queen's name. This, then, was the learned lord's recipe for an impartial clergyman. He believed that there were in that seat of independence, the general assembly of Scotland, many respectable individuals, who would prefer the learned lord's favour to his interpretation of the law, and who would rather retain that favour, by not taking his construction of the order than risk the loss of it by a contrary opinion. If the learned lord were thus to continue showing his favour to those who differed from him, he might indeed have some independent members who would still adhere to his construction of the order in council, but he believed the learned lord held out the means of subduing the most refractory on this point. Indeed, the learned judge of the consistorial court, who was also, it appeared, a colonel of yeomanry cavalry, took the learned lord's recipe for impartiality very early; not that he was to pray for the Queen, for the learned lord admitted that he might pray for any individual, but he fell in with the natural sense of the order, by directing the omission of her majesty's name. As to the private dispute which the clergyman, to whose excellent character such respectable testimony had been borne, had referred to the learned lord's arbitration, he would not say any thing farther than that he could not have selected a more just umpire than the learned lord, and no doubt the award he had given, and which he had properly concealed, was a most judicious one. But the question here was, not the private injury which might have been sustained; but whether, in consequence of an order, which was admitted to be nugatory and useless, a subject had lost his liberty for any time. It was for this reason he wished that the House should see the order and make the proper inquiries respecting it; and it was on this ground he would support the motion of his noble friend.

Lord *Castlereagh* observed, that so little impression had the speech of the hon. and learned gentleman produced upon the argument of his noble friend, that he did not intend to dwell upon it for a moment. He rose rather for the purpose of calling back the attention of the House to the real question before it; but first he should remind the House of the objections which he had made on some former occasions to those who maintained that the tranquillity of the country depended on the insertion of the Queen's name in the Liturgy. He had stated, on such occasions, that if such were considered to be the case, those hon. gentlemen should have put the question into some shape in which it could be met directly and fairly, and not endeavour to introduce it by a side wind. He did not know whether those observations of his had produced the motion of the hon. gentleman (Mr. J. Smith) which the House had disposed of in such a marked manner; but he assured the noble lord, that the objections he had then made did not apply to such a motion as that now before the House. At the same time, it appeared to him that this motion was by no means called for by the circumstances which had been mentioned. With respect to the speech of the hon. and learned gentleman who spoke last, it certainly did appear to him to have been intended for a more recondite subject; and it did not at all apply to the motion before the House. The hon. and learned gentleman seemed as if his object had been to defend the church of Scotland from some supposed inroad upon its rights, and having got the outline of the argument in his mind, had come down and applied it to the motion of the noble lord. What was really the case which the House had been called upon to consider?—two instances of individual injury. And how had they been answered? He hoped that the answer would not be forgotten; and he trusted the present would be a lesson to hon. gentlemen, not to bring down subjects for discussion in that House which was not, if there were any ground for trial, the proper place to try them, but would leave them to the courts which could legally take cognizance of them. Such questions were brought down—the business of the session was delayed in discussing them—and it must be obvious, that they could answer no other purpose but that of sending statements abroad calculated to poison the public mind. What, he asked, were the cases introduced? They were cases already settled: one of them referred to the decision of an inferior court, which had been disapproved by and set aside by the superior court; and the other was the case of an individual to which his majesty's government had given no sanction or approval. Why, he again asked, were not such matters left for the decision of the law courts, and why was the House called upon to waste its time by discussing such cases? He hoped that what had occurred that night would be a lesson to the noble lord by whom this motion was introduced. When the noble lord had heard the lord advocate's arguments respecting the act of queen Anne, he must have felt his motion fall from his hand. But it had been alleged, that the liberties of the church of Scotland were invaded. He must be excused for saying that this motion, like many other motions respecting the Queen, was made for any other purpose than for tranquillizing the country; and he would say that the hon. and learned gentleman who spoke last, could have more usefully applied his talents, than by the observations which he had made on this motion, and by endeavouring to awaken alarm, as if the liberties of the church of Scotland were invaded. The hon. and learned gentleman might, if he was not satisfied with the cases which the learned lord had cited, get a reverend friend to act in contravention of the act of queen Anne; and his reverend friend might then bring the case before the court of session; and the hon. and learned gentleman might in consequence have a more modern proof of the meaning of the act. The cases cited by his right hon. and learned friend had been said to have occurred in times of agitation and warmth; but, if cases occurring in times of warmth could be on that account set aside, he might object to the abolition of general warrants, which the hon. and learned gentleman had justly characterized as a public benefit, for no decision had been pronounced in warmer times than the time in which general warrants were decided to be illegal. But he again repeated, that it was perfectly open to the hon. and learned gentleman to provoke offence, for the purpose of amicable discussion. To other minds, certainly to his (lord C's.) unlearned understanding, no arguments could be more satisfactory than the arguments of his right hon. and learned friend. His right hon. and learned friend had in his candour admitted that the 32nd of George 3rd was not applicable. He (lord C.) did not admit that it was inapplicable, because separate instruments were not to be issued for the separate bodies in Scotland. He was justified in precedent and common sense, in saying, that such instruments were sent collectively to the church of Scotland and the Episcopalian church, and collectively to the Episcopalian church and the church of Scotland. As far as the words of the act could show the sense of the framers of that act, respecting prayers for the Queen by name, it was very remarkable; and he begged to point it out particularly to the attention of the House. The church of Scotland, it would be remembered, was bound by the same liturgy as the Episcopalian church of England. This act (the 32nd of Geo. 3rd.) was exclusively for the Episcopal church of Scotland. He would quote the words to which he alluded:—"pray for his majesty by name, his heirs and successors, and for the rest of the royal family as directed by lawful authority." He dared to say that "lawful authority," here again would be explained by the Act of Uniformity. But in this act, passed in the year 1792, when a queen consort lived in this country, than whom no queen was ever more entitled to the prayers of her people, no mention was made of the queen, and no allusion to her existence occurred but by an illegal interpretation of "lawful authority." So in the question of the Liturgy, there was no ground for claiming the insertion of the Queen's name but by what he called an illegal construction of the Act of Uniformity. The case he repeated, was so completely and unexpectedly taken from under the noble lord opposite, that he must view it as quite untenable; for the noble lord could not have come down with a case, knowing it to have such an evident and enormous flaw.

Mr. *J. P. Grant* said, that the order in council had been shown to be most absurd and preposterous; and he must add, that it was most illegal. He would refer to the act of the 5th George 1st, chap. 29. This act had been passed in 1719. The last case quoted by his right hon. friend was in 1718, consequently the act was later authority than any of the cases cited. His right hon. friend said, that the act of Anne was still in force. Now, the 5th of George 1st prohibited any number of persons, exceeding nine, to assemble in a meeting-house or episcopal place of worship, who did not pray for the King, the Prince and Princess of Wales, and their issue, under the pain of imprisonment for six months. In this act there was no reference to the act of queen Anne. How, then, did the case stand? The act of Anne was either effectual, or it was ineffectual. If it was effectual, there was no need of a new act; if it was not effectual, and a new act was required, then had the force of the act of queen Anne ceased with her life. But, according to the noble lord, the 32nd of the late king applied to the church of Scotland, as well as to the Episcopalians. We were then in this situation: the act of George 3rd, repealed the act of Anne in favour of the suspected, against whom it had been originally passed, and left it in full force against the unsuspected, for whose protection it had been passed. He agreed with the noble lord, that the House ought not to interfere in cases of individuals; but the order in council was an attempt to introduce supremacy. He was certain that the lord advocate had not been consulted; for he would have advised differently. But the interference had taken place first, and the law was found for it afterwards. The effects of the order were most injurious to the best interests of religion and peace. What motive then could have suggested it? He could imagine no motive but a desire, impotently indeed, but most illegally, to testify hostility to the Queen. It was a grave charge against ministers, that they had committed his majesty's name to what was, upon their own confession, nugatory.

Mr. *Maxwell* said, that if the noble mover had brought forward his motion for party purposes, as insinuated by the noble lord opposite, he, for one, would not support it. But he was satisfied that the motion had no such object, and thought the order was issued for the purpose of prejudging the Queen.

Lord *A. Hamilton* briefly replied. If the act of queen Anne was sufficient for their purpose, why was the order in council issued? The arguments of the case had been so ably disposed, as to leave him nothing to add. If the interpretation of that night, assumed by his majesty's ministers, namely, that they possessed a right to order the church of Scotland, should go to that country, he feared the House would lament that such an interpretation was ever made. The noble lord had charged him and his hon. friends around him, with a desire to poison the public mind. Now, if there was one man who had done every thing in his power to poison the public mind, to affix an indelible stigma on royalty, and to divide royalty against itself, it was most undoubtedly the noble lord. He had endeavoured, not alone to poison the public mind, but the very laws themselves, when he ventured to broach that most reprehensible doctrine, that after a trial, the Queen, though technically acquitted, was morally convicted. Such an assumption was an entire subversion of the principles of justice—it poisoned the administration of the laws at their source. He professed he could not see the possibility of the country being tranquillized as long as that declaration was withdrawn undenied.

Lord *Castlereagh*, in explanation, said, that he did not attribute any improper intention to the noble lord. He meant merely to state, that such motions had the tendency to irritate the public mind. With respect to the Queen, what he had observed was, that the acquittal was similar to such an acquittal in the courts below, as followed from a flaw in the indictment, or on a point referred to the judges.

The question being put on the first motion, the House divided: Ayes, 35; Noes, 102. Majority against the motion, 67. The second motion was negatived.

List of the Minority.

Althorp, visc.
Allen, J. H.
Bennet, hon. H. G.
Creevey, Thos.
Crespigny, sir W.
Crompton, J.
Davies, T. H.
Denman, Thos.
Duncannon, visc.
Ellice, Ed.
Fergusson, sir R.
Folkestone, lord
Glenorchy, lord
Harbord, hon. E.
Hill, lord A.
Kennedy, T. F.
Mackintosh, sir J.
Maxwell, John
Newport, sir J.
Nugent, lord
Ord, Wm.
Parnell, sir H.
Ricardo, D.
Rice, T. G.
Roberts, Abr.
Sefton, lord
Scarlett, James
Sykes, D.
Talbot, R. W.
Tennyson, C.
Webb, Ed.
Western, C. C.
Wetherell, C.
Wood, ald.
Wyvill, M.

TELLERS.

Hamilton, lord A.
Grant, J. P.

Court of Admiralty in Scotland—Compensation to Clerks.] The Lord Advocate moved the order of the day for going into a Committee to consider of Compensation to the Clerks of the Scotch Court of Admiralty. The House having gone into the committee, the lord advocate moved, "That it is expedient that compensation be made to the clerks and other officers of the Courts of Admiralty in Scotland, for any loss which they may sustain by the operation of any regulations that may be made in the said courts, which compensation shall be paid out of the monies chargeable by several acts of the 7th and 10th years of queen Anne, with the fees, salaries, and other charges allowed for keeping up the Courts of Session, Justiciary, and Exchequer."

Mr. *Creevey* thought the least that might have been expected of the learned lord was, that he should lay some ground for his motion, and inform the House for what services they were now called upon to vote compensation. He for one was determined not to grant a single shilling till he knew what those services were. Their present business was to retrench—a notice had been given of a motion for taking off 3,000,000*l.* of taxes; and yet they were here called upon to give away the public money, they knew not why, to persons who might, or might not be entitled to it. There were Scotch jobs as well as English jobs, and he always felt inclined to suspect a job when he met with a proposition for granting money under this sort of title, and without any statement of particulars. It was really time for the people of England to direct their attention to these proceedings in parliament. If we were to judge by the votes of the House, we must conclude that money was never more easily to be got, that it was always to be had for asking. At present there was nothing to convince him that the proposed grant might not be for the benefit of some of the learned lord's connexions, or to reward some loyal addressers in Scotland. He was sure that the public would not much longer tolerate such a system of expenditure: nor, until he heard some satisfactory reason, would he grant any of the public money to any Admiralty clerk, or any other man in Scotland.

The *Lord Advocate* said, that a committee had been appointed to examine the state of the Scottish courts. The committee had reported, that the proceedings in the Court of Admiralty were very voluminous and expensive to the suitors, and recommended the abolition of the offices in question. The people holding those offices held them for life, and therefore had vested interests in them. The question was, whether theirs was not a case to entitle them to compensation?

Mr. *W. Smith* said, that had the learned lord given that explanation before, it was probable the observations of his hon. friend would not have been made; for certainly the mode of the present proceeding was out of the course of practice in that House.

Mr. *Bright* thought it was impossible to be too vigilant in the examination of claims on the public money. As so much weight had been attached to the idea of a vested interest in these offices, it might be a good rule upon the creation of any new office by the legislature, to insert a clause, declaring that in case of a future abolition of the office, the holder should not be entitled to any compensation.

Mr. *Creevey* said, that when a noble friend of his had moved for the production of an account, gentlemen on the other side said, "Oh! for God's sake, don't be in a hurry," and induced him to withdraw it and shape it as a notice; but when money was to be granted from the people, there never was any delay. He had never heard of these Scotch clerks. He did not even know that there was a Scotch Court of Admiralty. He would move as an amendment, that the chairman report progress. This should be done in common decency. That was his opinion; and he thought it but fair that time should be given to consider the demands of the Crown, as well as those made on the part of the people.

Mr. *Robinson* said, he could see no analogy in the cases put by the hon. member. The proceeding now before the House arose out of a report of that House; and the hon. member knew, or ought to have known, of the proceeding. Therefore, whatever opinion the hon. member might entertain on the score of common decency, there was certainly no ground for attributing improper haste to others.

After some further conversation, the committee divided: For the amendment 22. Against it 59. The resolution was then agreed to.

List of the Minority.

Allen, J. H.
Althorp, visc.
Benett, J.
Bennet, hon. H. G.
Boughey, sir G.
Bright, H.
Brougham, H.
Caulfield, hon. H.
Crespigny, sir W.
Denman, T.
Fane, J.
Fergusson, sir R.
Folkestone, visc.
Harbord, hon. E.
Newport, sir J.
Parnell, sir H.
Ricardo, D.
Rice, T. S.
Robarts, A. W.
Smith, W.
Talbot, R. W.
Webbe, E.

TELLER.
Creevey, T.

HOUSE OF COMMONS.

Friday, February 16.

SCOTCH JURIES BILL.] Mr. Kennedy brought in his bill, "To alter the mode of choosing Juries to serve on Criminal Trials in Scotland." On the motion, that it be read a first time,

The *Lord Advocate* said, that he did not rise to object to the first reading of this bill, for he should at all times be ready to give his utmost attention to any subject connected with the administration of justice in the Scottish courts. The hon. member had not communicated with him before he submitted his bill to parliament; if he had, he should have told the hon. member of his intention to bring in a bill, founded upon the report of the commissioners who had inquired into the state of the courts of Scotland, and of his readiness to consider how far the hon. member's object could be embodied in that bill. He was one of those who thought that a great practical evil must be shown before any innovation should be permitted in an existing system, and more especially on a subject involving so many important considerations. Unfortunately, however, there seemed to be a general disposition in the present day to hunt out every hole and corner in our constitutional system to which some theoretical remedy might by possibility apply. He was sure the English and Irish representatives would not think the worse of him for defending the institutions of his native country; and he would therefore say, without hesitation, that the criminal judicature of Scotland, both with reference to its principles, and to the beneficial results of those principles, was highly estimable; and that there were in Scotland fewer trials, fewer capital punishments, and fewer sentences of transportation, in comparison with the population, than in any other part of the united kingdom. He was far from wishing to institute an invidious comparison between the practice of the courts in his own country and that of the English courts; but he hoped he might be excused for stating some of the advantages which, in criminal trials, a prisoner enjoyed in Scotland. In the first place, he was entitled to a copy of the indictment fifteen free days before his trial; and it must be drawn up with the utmost care, specifying the charge precisely, both as to time, place, and substance, and the prosecutor was strictly prohibited from going beyond that specification. The accused was also entitled to a list of the names and designations of all the witnesses who were to appear on the trial against him, as well as the names of all the juries by whom he was to be tried. When the trial came on, no witnesses could be re-examined; and, what was perhaps the greatest advantage of all, counsel was, from first to last, allowed to the defendant. These, he submitted, were no common advantages to the accused; and he contended that it was hardly possible to devise a system better calculated to secure an impartial trial. The only innovation of which he was aware, was, the introduction of the English law of treason, which had been made applicable to Scotland at the time of the union; and he admitted that the proceedings under that law were not so favourable to the accused as those under the law of Scotland. Of this it had very lately been his misfortune to witness a melancholy example. In the course of the last summer, no fewer than 98 persons had been indicted for treason, and the same indictment had been served on 50 of them, although the offences charged against them had been committed in different counties, and under different circumstances. In that point the law of Scotland had certainly been altered, and he contended that it had been altered to the prejudice of the constitution. He should not object to the principle of the bill, but he desired to be understood as reserving to himself the right of opposing it in any future stage, if he should deem it necessary.

Mr. *Kennedy* was not surprised that the learned lord should have felt a wish to make these observations on the present occasion; but, at the same time, he conceived that he himself was fully warranted in not having postponed his motion on account of the learned lord's absence the other evening. The learned lord had complained that many of his countrymen took pleasure in stating the defects of the establishments in Scotland. For himself, he was actuated by a very different motive: the love he cherished for the establishments of his country had prompted the desire of remedying their defects. The learned lord had said, that it was not enough to show the existence of theoretical defects, and that some practical defect should have been pointed out to warrant the introduction of such a measure as the present; but he (Mr. K.) was of opinion, that if he exhibited any thing faulty in theory, which might lead to injurious imputations on the conduct of the learned judges who presided over the criminal court of Scotland, he did better than if he were to take any indelicate notice of the practice into which these learned persons were led by such a defective theory. He meant to propose that the bill should be printed and read a second time a week hence, with an understanding, that it should stand over till April, subject to any future postponement that might be necessary.

Mr. *M. A. Taylor* was not disposed to agree in the view which the learned lord had taken of the criminal courts in Scotland. He adverted to the sentence passed on Mr. Muir in 1794, and, on the authority of the ablest lawyer of the day, he professed himself prepared to contend with the learned lord, that the court, in passing that sentence, had exceeded its powers.

The *Lord Advocate* expressed his readiness to meet the hon. gentleman, and to maintain that that judgment was legal. He was the more confident on the subject, because that judgment had recently come under the consideration of the supreme court, and had received its sanction.

Mr. *J. P. Grant* could not sit silent and hear it said that the supreme court had recently approved of that sentence; because he knew that the ablest judge on that bench held opinions hostile to that sentence. There was scarcely a lawyer of eminence in Scotland who did not entertain grave doubts on the subject.

The bill was read a first time and ordered to be read a second time on Thursday.

IRISH UNION DUTIES.]—Mr. *Curwen* presented a petition from Keswick in Westmoreland, praying the House to consider the propriety of repealing the act of last session, for continuing the Irish Union Duties. The hon. member contended that the abolition of these protecting duties, as they were called, would be equally advantageous to the English and to the Irish manufacturer.

Sir *H. Parnell* supported the petition, which he conceived to involve a question of great importance. Numerous petitions were in progress, to the same effect, and he sincerely wished for some investigation into the subject. A greater mistake had never been committed than by the Irish parliament when they conceived that by these duties manufactures could be established in Ireland. Their effect was neither more nor less than to shut the Irish manufacturer out of the English market; and this was proved by the fact, that Ireland had at the present moment no manufactures except where the market was free.

Mr. *Hutchinson* opposed the prayer of the petition, the object of which, if he understood it aright, was, to make the chancellor of the exchequer revise the act of last session, by which the protecting duties had been continued for a specified time. He deprecated that object as injurious to the interests of Ireland; and said, he could state, from his own knowledge, that if accomplished, it would throw a great number of persons out of bread.

Mr. *Littleton* supported the petition, on the general principle, that there should be no tax on the interchange of the commodities of the two countries. He admitted that those concerned in manufactures which existed before the union had a right to expect that these duties, if not continued, should at least be gradually removed: but there was not the same reason for continuing duties on manufactures which did not exist at all in Ireland, such as pottery and hardware, which were almost exclusively the manufactures of Staffordshire.

Lord *Althorp* was in favour of the prayer of the petition, because he conceived that no manufactory in Ireland would be injured by the removal of these protecting duties.

Sir *J. Newport* was convinced that these duties operated as a heavy tax, and threw a great impediment in the way of British manufacture. With respect to pottery, that manufacture never did exist in Ireland, and never could, because coal could not be had but at a heavy price. His opinion was, that all articles which were duty free should be put on the same footing. Though no duties existed, yet the port charges were the same with respect to the manufactures of Ireland as they were with regard to foreign countries. This operated as an injury to both countries. He hoped the chancellor of the exchequer would take the matter under his consideration. These discouragements tended greatly to the injury of the tillage of Ireland, and broke through a principle which was held in that House; namely, that of binding the two countries together by mutual interest, and doing away all cause of irritation and unpleasant feeling. It was with this view that in 1806 he had brought in the Grain intercourse, bill and experience had proved that that was a beneficial measure.

Mr. *Peel* earnestly hoped, that the chancellor of the exchequer would give his earliest consideration to this important subject. He was most anxious to see this kind of commercial distinction speedily abolished. These duties, instead of being a protection for a certain portion of the Irish trade, were merely a tax upon her commercial industry, and an evil which it never could have been the intention of the Union to have inflicted upon her. They went to compel the people of Ireland to deal with England at a much higher rate than they would do if no such protecting duties existed. There could be but a few individuals engaged in some particular trades who felt at all interested in the continuance of restrictions upon fair and equal intercourse, which were invidious and severe. He was satisfied that it would be for the interests both of Great Britain and Ireland that these heavy restrictions should be removed.

The *Chancellor of the Exchequer* said, it had been made a matter of complaint by hon. gentlemen, that the measure for continuing those protecting duties had been brought in at the close of the last session, and passed with so much rapidity as not to allow of the necessary attention being paid to the subject. So far from that being the case, it was well known that as far back as the session previous to that, petitions had been presented in great numbers, praying for the renewal of the duties, and a deputation had been sent from Ireland, with the express intention of endeavouring to procure that object. It had been continually represented to him, that there would be great inconvenience in allowing the Irish manufacturer to be taken by surprise. Under these circumstances, he had introduced a measure which would provide for a gradual extinction of the duties. Whether the period fixed was too long or too short, or whether all the details of the measure he had recommended were best adapted to the case or not, he could not determine. But he certainly doubted whether the sudden withdrawing of the protection duties would not be productive of greater evils than those now complained of. It was certainly his desire to conciliate the different interests, and to decide upon this question in the way that would best contribute to the prosperity of each.

Mr. *M. Fitzgerald* said, that the temper in which this subject was discussed was with him a subject of congratulation. These duties had been enacted at the Union for twenty years, with a view that at the end of that time they might be revised and possibly extinguished. He did not complain that the chancellor of the exchequer had acted unfairly in continuing them, but that he had acted without inquiry, and without laying any grounds for his measure. The great part of these duties were an injury to the English manufacturer who sold, and to the Irish consumer who bought them, without affording the least possible protection to the Irish manufacturer; for there were many duties on articles, no manufacture of which existed in Ireland. Some of these duties too were on articles of prime necessity. A general inquiry into the regulations respecting the intercourse between the two countries would be highly expedient. He had himself discovered that there was a regulation respecting the coasting trade in Ireland, by which duties were levied by port charges amounting to 20 per cent on the freight.

Ordered to lie on the table.

BRITISH MUSEUM.] Mr. *Lennard* rose to make his promised motion upon this subject. In this establishment, he said, supported as it was at the public expence, the utmost possible facility should be afforded to the access of the public, but especially to those individuals who were devoted to literary and scientific pursuits. He was aware that of late years, a great freedom of ingress was allowed to those who visited the Museum merely for the gratification of curiosity, no less than 50,000 having been admitted within the last year; but what he had to complain of was the difficulty of admission on the part of those who for literary and scientific purposes were desirous to examine the library, to have access to the reading-room, or to see the several collections of minerals, prints, drawings, and coins. In France and the other continental nations, the utmost freedom of access was allowed to strangers who desired to see similar collections, and he could not think it honourable to the character of this country, that a different practice prevailed here. If it were said, that from the value of these collections at the Museum to which he referred, it would be imprudent to expose them to the access of strangers, he should say in answer, that an additional number of officers ought to be appointed to take care of them. This certainly would be a much less exceptionable arrangement than the existing restriction upon the admission of strangers. But the appointment of additional officers would be unnecessary, if it should appear that the Museum had already several officers receiving salaries without any corresponding duty to perform. With a view to ascertain that, he proposed to move for a return of the salaries and extra-service money paid to the several officers of the Museum. At present the admissions to which he referred could not be obtained by any one who did not procure the certificate of the trustees, or who was not known to one of the officers of the Museum; and considering the large sums which had been paid from the public purse for the establishment and maintenance of this institution, he must say, that those grants were very improvidently made, should it turn out, that instead of being found available for a public purpose, it was merely an establishment for the gratification of private favour or individual patronage. The hon. member concluded with moving for an account, 1. Of the number of applications made to the trustees of the British Museum, for the purpose of being admitted to inspect that part of the collection of minerals not generally shown; and the collection of medals and coins; and the collection of prints and drawings; and of the number of similar applications for the purpose of being admitted to the reading-room; such accounts to extend to the last five years past, and to contain the number of admissions in consequence of such applications; and the number of applications and admissions in each of the five years to be stated: 2. Of the amount of the annual salaries, and of the monies paid to each of the present under and assistant librarians, officers, and attendants employed in the care and arrangement of the manuscripts, printed books, minerals, medals, coins, prints and drawings, for extra-service money, or any other sums or gratuities paid to them beyond their stated salaries, and stating the nature and extent of the service and attendance of each officer; and also, the nature and extent of the services for which extra-service money may have been paid; such account to extend to all services and payments within the last ten years.

Sir *C. Long* said, that his object in rising was not to oppose the motion, but to assure the House that it was not less the wish than the duty of the trustees of the Museum to give every facility to the public. There were two classes of persons who required admission: the first consisted of those who came for the purposes of general inspection, and to that class very great facilities had been afforded within the last few years; and the number of such visitants was not less than 50,000 in the year. The other class who required admission was the much more important one; it consisted of literary men and artists who came for the inspection of the drawings, medals, &c. It must be obvious that it would be dangerous to admit strangers indiscriminately to such places; and that therefore some restrictions on admission were necessary. He happened to know, that, by the general admission to the valuable library in France, very considerable losses had been sustained. The question then was, whether the restraint adopted at the Museum was too great? It was said by the hon. member, that no person was admitted to certain parts but by the recommendation of one of the trustees; but it should be recollected that there were 43 trustees, and several of the principal officers of the place, to any of whom an application might be made. The officers were all disposed to afford every facility in their power, and if any complaint of neglect on this head were to be made, it would meet with immediate attention.

Mr. *Gurney* said, he should not discharge his duty if he did not bear testimony to the general facility given to the public by the trustees and the attending officers of the British Museum. By application to the proper officers, admission might be had to the coins, manuscripts, &c. on other days besides those on which the public were admitted. The officers employed were men of high literary attainments, and none could be found more fitted for the employments which they enjoyed. The French government expended more money in the care of their library than was given by us for the support of the British Museum altogether; and he was surprised how well the duty was discharged at so small an expense.

Mr. *Bright* concurred in what had been said respecting the facilities given to the public.

Mr. *Colborne* agreed in the encomiums passed upon the trustees and officers, and suggested the propriety of erecting an edifice, which should be at once a commemoration of our victories, and a depôt for the contents of the Museum.

Mr. *Bankes* spoke of the decayed state of part of the Museum, and expressed his wish that a committee should be appointed to inquire into the condition of the Museum, in order to its improvement.

The motion was agreed to.

MOTION FOR THE ORDNANCE ESTIMATES IN DETAIL.] Mr. *Hume* rose to draw the attention of the House to the Ordnance Estimates for the present year, and to submit a motion on that subject; the reasons for which he should state in the first instance. That retrenchment was the object that he had in view, as well as the avowed object of the House itself, could hardly be doubted. It became necessary, therefore, to point out what alterations could, with the least inconvenience, be made; but in order to satisfy members with regard to particulars of this nature, it was also necessary that accurate and detailed accounts should be placed before them. The estimates, as at present framed, gave none of the requisite information: they entered into no details, but left the House utterly ignorant of all the items which went to compose the separate heads of expenditure. It was impossible for the House to judge what reductions were practicable or expedient, or to what extent they ought to be carried whilst the existing system of account between the public and the Ordnance department was allowed to prevail. The commissioners of military inquiry had in one of their reports advised that a different form of accounts should be adopted, and it was certainly singular that the House should have hitherto been content to vote the sums demanded, on an inspection merely of their total amount. The necessity for setting out these accounts in greater detail would appear manifest on a reference to the last ten or twelve years, during which, it would be found that, the sums actually disbursed did not correspond with the finance accounts.

In the statement which he was about to make, he should not notice the article of old stores. He should confine himself entirely to the actual sum charged against the public. He would take, for instance, the three last years; the estimate for 1817 was 1,189,000*l.*, and the sum charged in the finance accounts for the year ending January 5th, 1818, was 1,435,000*l.*, the difference between the estimate and the actual expenditure being 246,000*l.* In 1818, the estimate was 1,200,000*l.*, and the actual expenditure 1,400,000*l.*

In 1819, the estimate was 1,100,000*l.*, and the amount in the last finance accounts was 1,538,000*l.* being a difference of 400,000*l.* which had in no way been accounted for in that House. Perhaps he had already said enough to prove the necessity of a more strict and rigorous investigation into the conduct of this department. He had great reason to believe that in various other branches of our military expenditure a similar course of profusion would be found to prevail. At a time when they must look to retrenchment, and to that alone, for increasing and strengthening their resources, the House could not be too diligent in their inquiries upon this subject. His intention had at first been, to compare the different sums total, in their present or late amount, with the expenditure for similar purposes in the year 1793, the last year of peace previous to the revolutionary war with France. He was willing, however, considering the great change which had taken place in all our establishments, to select the year 1796 as a fair period on which to found a comparison. That was the third year of war, and a time when the scale of all our military establishments had been greatly raised. He wished only to refer for one moment to the Ordnance expenditure during the three years previous to the war. The amount of it in 1791 was 506,000*l.*, including a sum of 70,000*l.* for the discharge of debt contracted. In 1792 it was 419,000*l.*, and in 1793, just before the armament, it was, including the charge for artillery, 513,000*l.* The average was about 440,000*l.*; which average, after all the reductions and alterations made, amounted in 1819, the fourth year of peace, to 1,400,000*l.*, and in the following year to 1,500,000*l.* It now appeared by the estimates for the service of the present year that the same amount was to be continued, or at least that the whole saving did not exceed 15,000*l.* A sum of 3,000*l.* had also arisen under the head of "saving from old stores." Having arrived at the fifth year of peace, we had only yet effected a reduction of 300,000*l.* in this part of our war establishments. In the last year there was also a very large sum granted for special purposes; so that, with all the savings made, the expense of this year was much beyond that of 1819.

In order to lay further ground for his motion, he should now refer to one or two articles, as affording practical evidence of the disposition and exertions of ministers to carry their boasted schemes of retrenchment into effect. The Estimates laid before the House, as he had already said, proved nothing, showed nothing, and in order to procure some light, he must again have recourse to the reports of the finance committee. In the 13th report of that committee, a very minute account was set forth, such an account as should alone satisfy a House of Commons, when disposing of the public money. It would be easy to show that where a saving had actually been made in one instance, the sum so retrenched had, instead of being carried to the credit of the public, been divided amongst other clerks or official persons. The House must, he was sure, feel surprise to learn that the salaries in the Artillery department amounted to 43,000*l.* or 8,000*l.* more than was recommended by the commissioners of military inquiry in the year 1810. Under the head of Tower and Pall-mall department, the charge in the year 1782 was 38,000*l.*; in 1796 it had increased to 51,000*l.*; and, in 1805 its amount was 105,000*l.* Here, then, was a regularly progressive increase but it might be explained, and perhaps justified, by the circumstances of the country, and the long continuance of war. But what would the House say on hearing that six months after the last mentioned period the charge under this head was raised to 120,000*l.*? It was now, in the fifth or rather sixth year of peace, 8,237*l.* more than was recommended in 1810. In another part of these accounts 30,000*l.* would be found charged as gratuities for length of service. He apprehended that these were paid to persons who were receiving remuneration for their services under another head of expenditure. The finance committee of 1796 described the gratuities as temporary additions to the emoluments of the clerks and officers, rendered necessary by the then increased price of provisions. They at that time amounted to 42,302*l.* As in all other cases, however, where the exercise of patronage and pecuniary influence was left to the discretion of the board, the same effect continued long after the assigned cause or pretext was withdrawn. The sum was gradually increased from the year 1796 till 1812, when it amounted to 8,000*l.* The next year it became 9,600*l.* the next year 10,000*l.*, then 15,000*l.*, 24,000*l.*, and so on till it now amounted to 30,000*l.* And this, the House would observe, was a sum granted to this department to enable them to meet the pressure of a temporary rise in the price of provisions! In the 13th report of the commissioners of military inquiry, they expressed their surprise at this circumstance, and observed that these additional gratuities were granted by his majesty's warrant. They complained, therefore, not of the authority under which they were allowed, but of the discretion exercised by those who recommended these grants to the Crown. The commissioners said they believed it was a practice unknown in any other department, and that it had gone to the extent of trebling the former salaries. After all the warnings which had been given to the Board of Ordnance, he could not conceive what justification could be offered for the large and unnecessary additions which had been made to its expenditure under this particular head. Unless ample and accurate statements were annually laid before parliament, this system of waste would continue, the abuses would be progressive, and it would become more and more difficult to apply a remedy.

He would now proceed to mention a few instances of this prodigal increase and extravagant disbursement as they related to individuals. In the first place, the pay and allowances of the master-general of the Ordnance had been doubled. The salary of the clerk had received a considerable addition. The secretary to the master-general, whose salary was 300*l.* per annum, in 1796, and who ought to be regarded as a private rather than a public secretary, now received 2,000*l.* In 1819 the finance committee thought it a great merit to advise the reduction of this sum to 1,500*l.* per annum, just as if it was the case of a public secretary, instead of being a private appointment, or as if there was no public secretary; although the person who did actually fill that office was at the same time receiving 1,400*l.* per annum. The office of under secretary, to which there was a salary of 300*l.* attached, had indeed been abolished; but lest the public should derive any benefit from the abolition, the salary had been divided amongst the clerks. It would be seen by a reference to the same accounts, that various new appointments had been created since 1796, and that similar abuses prevailed in every branch of this extensive department. He wished, however, to make a few observations relative to the storekeepers, and more especially to the storekeepers at Sheerness and Dover. With regard to the latter, he would here remind the House that he had asserted on a former evening that the late storekeeper retired on an allowance of 500*l.* a year. The right hon. gentleman (Mr. R. Ward) had contradicted this statement, and he was the more surprised at the contradiction, as the right hon. gentleman must have been acquainted with all the circumstances, he having a short time before appointed one of the freemen of Queenborough to succeed that officer. Did the right hon. gentleman then, intend to assert that no storekeeper had retired upon a pension of 500*l*? [Mr. Ward gave a nod of assent to Mr. Hume.] If such was his intention, he must call the particular attention of the House to the case of the storekeeper at Dover. The storekeeper at that fortress, in 1796, had a salary of 120*l.* a year, and an allowance of 20*l.* a year for house-rent. In 1801, 80*l.* a year was added to his former salary. In 1805, 50*l.* was added to it, and in 1808 a further sum of 50*l.* Afterwards the salary was increased to 420*l.* and at present, it was 500*l.* a year. Was such profusion to be tolerated in the present impoverished state of the country? He trusted that gentlemen would pause before they sanctioned it by their votes. The right hon. gentleman had said that no storekeeper had retired upon a pension of 500*l.* a year. Would he recollect what had happened at Dover and Sheerness? At the latter place, where in 1796, the storekeeper had no more than 100*l.* a year, Mr. A. Gibbs had retired lately upon a pension of 500*l.* a year. Such a grant, even if it were a solitary instance ought to convince the House of the propriety of looking narrowly to the Ordnance estimates; but when he told them that similar profusion had occurred at Portsmouth, where the storekeeper's salary was now 1,100*l.* instead of 600*l.* as in 1796, they would see the absolute necessity of instituting a strict inquiry into their nature and amount.

Neither was this lavish system confined to our ports at home; on the contrary, it was in full force in Malta, in Gibraltar, in Barbadoes, in Ceylon, and at the Cape of Good Hope, as he would prove by a comparison of the estimates in 1796 and in 1820. Mr. Hume then read extracts from them to prove his assertion, and, after doing so, called the attention of the House to a new and useless office, lately instituted; namely, that of store-keeper of ordnance in the Artillery depôt in the Regent's park. What occasion there was for a depot of Artillery in that quarter, when the Tower and Woolwich were so near, he was at a loss to discover; but he found that a Mr. Mash Wood was appointed to take care of it with no less a salary than 360*l.* a year. When the public money was frittered away in such useless expenditure, surely gentlemen would agree with him in thinking that it was their duty to check it. By cutting away useless offices in one quarter, and by curtailing the salaries of them in another, he was convinced that the Ordnance estimates might be reduced from 1,500,000*l.* to 1,100,000*l.* There was now a half-pay list of 330,000*l.* and it appeared to him that, under such circumstances, if in 1796 the estimates were only 450,000*l.* the estimates in 1820 ought not to exceed three times that amount. And yet they did exceed that sum; nor was it wonderful, when they recollected the gross and lavish expenditure in the storekeeper's department at Sheerness, into the particulars of which Mr. Hume entered at considerable length. He next adverted to the gunpowder department of the Ordnance, in which no attention to economy had been displayed. For instance, the expense of the establishment for manufacturing gunpowder at Feversham amounted to more than 3,000*l.* in salaries and allowances for different officers; and yet not one barrel of gunpowder had been manufactured there for some years, and the very mills themselves had been let to a gentleman at Dartford. Strange, however, as the intelligence might appear to the House, he could inform them that in 1819, some time after the mills had been let, and when not a single barrel of gunpowder had been manufactured in them by government, a gentleman was appointed, with a large salary, inspector of the manufactory; and not only had he a salary assigned to him, but even a private House for his residence, in order that he might always be on the spot to perform the duties of his office. So, too, had the other officers of the establishment. Now, he did not blame the government for letting the mills at Feversham; he only blamed them for not breaking up the whole establishment, when they let the premises with which it was connected. If they had broken it up, they would not only have saved the country some thousands a year in the payment of salaries, but would have added to its revenue a large sum, arising from the sale of the houses connected with it. Similar instances of waste and extravagance were to be found in the same establishments at Sheerness. There, too, the different clerks had houses found them bygovernment; for this ostensible reason—that they might always be on the spot to notice what occurred. How far that reason was a valid one the House would be better enabled to judge, when he informed them that the various clerks resided at Queenborough, and let to strangers their houses at Sheerness. So far was that system carried, that one of the common labourers in the works, who was entitled to a couple of rooms, imitated the example of his betters, and let them out to a convict-keeper. Such was the system at these two places: he did not mean to say that every other station was as bad, but he would undertake to show before a committee, that every one of them was faulty. The hon. gentleman then alluded to the heavy expenses to which the country was put by the floating magazines between Chatham and Sheerness. Besides the expence to the country, a great evil had arisen from it to the constitution. The persons employed in that service by the government were allowed to vote at elections, and were not disqualified as persons employed by it were in the Post-office and elsewhere. That was a point which he trusted that the House would notice, as it was intimately connected with its own privileges. To show how much the purity of election was likely to be affected by this system, he informed the House that not less than 66 freemen of Queenborough were employed in the Ordnance craft, who, under the direction of three magistrates of the place, returned the members for the borough. The whole system of these floating magazines, if properly examined into, would show how grossly the public money was sacrificed and exhibit in the broadest light the corruption of government.

He thought that he had now done enough to prove that some examination into the Ordnance estimates was absolutely necessary: he would, however, add another observation in order to strengthen the conviction which he trusted he had already created. Honourable gentlemen were perhaps aware, that if a common labourer took a couple of brass nails, or a log of wood out of the Ordnance stores, he was liable to be transported for life; but would they believe that if a storekeeper took a boat-load of them, not the slightest notice was taken of that fact? He would prove that it was a frequent practice with the storekeepers to appropriate part of the old stores to their own use—and especially in the case of Mr. Pennell, of Sheerness. He had old carriages cut up for his own use, and not only cut up for his own use, but cut up for him by the servants of the public. Coals, too, had also been taken from the king's stores. This might be one of the perquisites of the storekeepers, or the right hon. gent. might not know that such things were practised. If he did not, and if such practices were not allowed, he trusted that his attention, would now be attracted to them, and that care would be taken to prevent them in future.—The hon. member then proceeded to notice the expenditure in the gunpowder manufactory at Waltham-abbey, where he said that every officer, now that only 1,000 barrels a year were manufactured, was receiving more than he did when 26,000 barrels were manufactured. The whole course in fact was calculated, and calculated only, to keep up the *quantum* of government patronage. There were items without end, to which he could refer: there was a charge of 4,268*l.* for master gunners, without any thing in the nature of detail attached to it. How the gunners were employed, the House was not told; but this he could tell the House that one of them, kept a grocer's shop, nine miles from the place where he was supposed to be upon duty. At Woolwich, the expense was 14,000*l.* and the clerks upon the establishment were more numerous than the artificers employed. Again, at Feversham, 50*l.* or 100*l.* a-year was paid to a serjeant for looking after 15 men. Heavy expenses were incurred, and most needlessly, in taking returns of stores; individuals being sent from London especially to perform that duty which might as well be done by persons on the spot. If matters were shown to be in such a corrupt state at Sheerness, was it not fair to infer that all was not quite right in other places? What he wanted was information, detail, specification. It had been recommended again and again to the Ordnance department, that the artificers should appear in the estimates, divided and classed into corps and battalions, in the same way in which the different regiments appeared in the army estimates. Why should not that course be adopted? Why should not the house be allowed to see its way, instead of seeing a lumping charge of 250,000*l.* without one word of why or wherefore? 42,000*l.* stood against the item of "engineer officers." Engineer officers were not to be made in a day, and they ought doubtless to be taken care of; but the House ought to know the number provided for, and the rate of provision. Something more than "the master and civil officers of the military college at Woolwich" ought to be given for 7,700*l.* In fact, with so many officers upon half-pay, the keeping up even of 150 cadets, might be well dispensed with. To provide commissions for them was quite impossible; their education fitted them only for military life; and the truth was, that a number of young gentlemen were ruined at a very considerable expense to the country. The "expenses extraordinary" really presented a singular example of compendious statement: for 270,000*l.* the country had three words—"Repairs, current services, and contingencies." What the repairs consisted of, he could not conceive; and many military officers, whom he had questioned upon the subject, were in the same state of darkness. Stores, too, furnished a charge for 40,000*l.* Really, while the country was selling old stores every day, the House ought to be chary in granting thousands for the purchase of new ones. Members would see that single instances were not the subject of complaint. There was a laxity through the whole system. Even the mode of making up the accounts was most objectionable; and the house was scarcely free from blame in permitting claims for unprovided services to be brought up from time to time—charges made in 1820 for matters occurring in 1818, &c. He wished to be clearly understood. In protesting against existing expenses he did not complain that peculiar circumstances should have carried charges to an unprecedented height; all he blamed was, the indisposition to abate them when there was no longer a necessity for their existence. Really, however, after so many professions of economy, he did hope that some reduction would be effected; and, while he was upon the subject of reduction, to what point could he more properly call the attention of the House than to the Irish establishment? The charge for the staff at head-quarters in Dublin exceeded the sum paid to all the labourers and artificers throughout Ireland; and the contingencies in that country were estimated at 32,000*l.*, while those of England amounted only to 5,000*l.* In stating these facts, he imputed no blame to the right hon. member opposite; he only blamed the system pursued, and wished to see that system changed. The path to reduction was obvious, and opportunities presented themselves at every step. It was an important fact that officers were receiving at the present moment, nearly 40 per cent more than they received during the heat of the war. By their relief from the income tax, and by a rise of at least one fourth in the value of money, the incomes of those gentlemen were increased nearly 40 per cent. By proper attention, by such management as it was in the power of the House to adopt, he could see his way to a reduction of five millions in the expenses of the very next year. Let not the hon. gentlemen on the other side oppose reduction with so much determination; their patronage would not suffer a tittle by it. If they had fewer good things to give away, why then the good things, being more few, would be more valuable: the scarcer the place the greater the favour. Surely if money could be saved to the country, and patronage increased to the right hon. gentlemen, no party could object to the measure.

He was sensible that he had already trespassed heavily upon the time of the House, but he could not avoid saying a few words upon the charge of 42,000*l.* for compensations. This item of charge had lamentably increased of late, and the compensations to the civil department quite overbalanced the saving of 20,000*l.* arising out of the deaths of officers and soldiers. Something like detail as to this charge of 42,000*l.* would be of much advantage; as he believed he could point out instances of compensation given to persons after only two years' service. The hon. gentleman then recommended the adoption of a measure which had been pointed out by the commission of military inquiry—the laying annually before the House the public ledger of the Ordnance department. The adoption of that measure would afford to the House the total amount of the expenditure of the Ordnance department for any given year. If the House conceded to his motion, the estimates already on the table (quite useless in their present state) might be taken off and printed in an intelligible form. The hon. gentleman then moved, "That the Ordnance Estimates for Great Britain and Ireland for the present year be submitted to this House in detail; distinguishing in separate columns the amount of salary, gratuity and allowances of each officer, the amount of expenses in each department, and the total of the whole; distinguishing such officers as have been appointed to new offices since 1793."

Lord *Nugent* seconded the motion.

Mr. *R. Ward* said, that the details required by the motion, when every particular should be entered into in such a way, that not a single figure could be kept back, would produce extreme inconvenience, and create much useless trouble. He had expected, that this subject would have been discussed in the regular course of committee, and not in single speeches between the hon. gentleman and himself. According to the usual practice, the estimates had been laid on the table; but he was not disinclined to furnish a separate paper for the information of the hon. gentleman. He had hoped that he should not have had to enter into the details then, but after the speech of the hon. gentleman, containing, as it did, some correct statements, and others very incorrect, he was much surprised to find, that such a speech had followed the notice that had been given. He did not deny the right which the hon. member had to enter upon the subject, but nothing could equal his astonishment on finding that he was involved in such a discussion after the notice by which the motion had been preceded. The hon. member had chosen to go into a very minute detail indeed; he had commenced with the first article in the estimates of 42,000*l.* Salaries to officers of the Tower and Pall-mall. He (Mr. W.) had nothing to trust to except his memory, and yet the hon. member had come down backed by his friends, and elaborately prepared for the discussion. He would however, endeavour to follow the hon. member. In his very first observation there was the greatest inaccuracy. Nothing more surprised him than to hear it boldly asserted, that the reduction of the estimates was but 3,000*l.* He had stated that the estimates were 1,500,000*l.*, and the reduction but 3,000*l.*; whereas the estimates amounted to little more than 1,300,000*l.* while the reduction was 53,000*l.* *Ex uno disce omnes:* if the hon. member could make a mistake of 50,000*l.* in a sum of 1,300,000*l.* what errors might he not have committed in the long detail of figures which he had laid before the House! What reliance could be placed upon his statements, unless he quoted for them competent authority? The hon. member had founded himself in some measure upon the report of the finance committee. He did not mean to say that the hon. member was not entitled, if he thought fit, to rely upon the report of the finance committee: but that report was not binding upon the House; and it was open to opposition from those who might think that the committee had come to a wrong conclusion. The employment of labourers as servants had been objected to. It might be an objectionable practice; but it was not an abuse, for it was a system which had been acted upon for thirty years, and the services of a labourer now formed by usage part of the emolument given to an officer. It happened, however, that the noble duke at the head of the Ordnance department was, up to a certain point, of the same opinion with the hon. member; he thought the practice a bad one, and was taking measures to abolish it: the advantage was not taken from those who already possessed it; but care was taken not to extend it to new comers.—The speech of the hon. member had been so desultory, that the House must excuse him if he rambled a little in pursuit of it; and he would at once notice that insulated accusation touching the conduct of the storekeeper at Sheerness. The hon. member accusing one individual of peculation, argued with his usual candour, that such was the general practice of the department. As to the fact, he (Mr. W.) knew nothing. If it were proved, the individual, besides losing his situation, would certainly be punished in a way which would not be agreeable to him. But it might be doubted, whether it would not have been more fit to bring such a matter before the heads of the department than to lay it before the House of Commons. The hon. member said, that the heads of departments, while cutting the salaries of clerks of 90*l.* per year, had been raising their own. Where did the hon. member find that? He had stated that the salary of the master-general of the Ordnance had been raised from 1,500*l.* to 3,000*l.* a year, and he had argued upon the impropriety of such an addition at a time when there should rather be a decrease. When the hon. member gave an account of his own speech to the public, as he owned to him (Mr. W.) that on a former occasion he had done, when that account was most incorrect, there was no part of England which that speech might reach where it would not be supposed that the duke of Wellington had raised his own salary, or that it had been so raised by his predecessors, lord Mulgrave or lord Chatham; but the fact was very different—the salary of the master-general was 1,500*l.* a year, from the reign of Elizabeth to the period of the union with Ireland. There was before that period, a master-general of the Ordnance in Ireland, but after the union the offices were united, the two boards were consolidated, and the salary doubled. This took place in the year 1802 [Hear, hear]. He heard the hon. gentleman cry, "hear!" Why, then, did he not state this, and not leave it in such a way as to be misunderstood by half the House? He had made some observations on other parts of the board as to salaries and emoluments; but did he question the fact, that the emoluments and salaries of several officers of the board had been lowered ["I do," from Mr. Hume]? He would tell him, then, that his own emoluments had been reduced from 1,700*l.* to 1,100*l.* a year. An hon. friend near him had suffered a reduction of 200*l.* per annum, and there were several other reductions; but no correction of the mistakes of the hon. member could correct his disposition to mis-statement. There was one of those mis-statements in the newspapers, where it was said that he (Mr. W.) denied that the storekeeeper of Dover had a salary of 500*l.* a year. He never denied it. He stated that the storekeeper had not retired, but never denied the salary of 500*l.* a year. The mis-statement had appeared in "The Times." This arose from the incorrectness of the hon. gentleman himself. He alleged that a storekeeper who had not 100*l.* a year, had been allowed to retire upon the enormous salary of 500*l.* He had met the hon. member soon after that statement appeared, and said to him, that there was a mistake in a newspaper respecting what he stated, and added, "You have nothing to do with it, for it is false;" but he was much surprised when the hon. gentleman answered, "I am sorry for it, for I wrote it myself." He now requested, if the editor or writer of The Times was in the gallery, that he would do him justice, for he could not expect it from the hon. member. The right hon. gentleman then went on to contend that every disposition to economy was felt in the Ordnance department. The duke of Wellington had abolished sixty-eight offices,—the salaries attached to which amounted to 14,000*l.* a year. Even the situation of adjutant-general at Gibraltar, which had been sought after by men entitled to it from their character and length of service, had been abolished. With respect to the gratuities complained of, he had the same answer which he had applied to the complaint as to servants. At all events it was not an abuse. The system might be objectionable, though that he denied; for it was the only mode by which the officers of the Ordnance department could be placed upon a level with officers of equal rank in the Navy office and in the War-office; but it could not be an abuse, because it was an acknowledged and a recognised practice. The addition to the salary of the secretary to the master-general, had been made by the reduction of a second secretaryship, and without costing the country a shilling. The powder-works at Feversham were carried on at present, because it was found that it would be cheaper to carry on the works for a few years, than to incur the expense of removing the vast quantity of stores which the depôt contained. From the statement of the hon. gentleman one would have supposed that the sum of 270,000*l.* was expended in repairs; but upon a survey of the estimates, it would be found that the whole sum so expended, in which many payments to superintending officers were included, did not exceed 80,000*l.* So much for the candid accuracy of the hon. gentleman's statement! The hon. gentleman had adverted to the pay of the engineer officers; but it would be necessary to take into account, that those officers were not in barrack, and had not the allowances given to officers belonging to the regular corps; in lieu of these extra pay was given them, and he could assure the House that they complained of this as too small. If the estimates were strictly examined, a full explanation would be found in them of many of the points to which the hon. member had adverted. One point he would concede: he would have no objection to the production of the Expense ledger every year. The next subject to which allusion had been made, was to the officers on half-pay. On this subject he could assure the House, that selections were made from the half-pay for high situations, and that only subordinate ones were filled up by cadets. As to the professors, there could be no objection to any information respecting them. He would admit that the expense of the Dublin establishment appeared larger than that at Woolwich, but that was explained by this circumstance, that under this head were included several other branches which were not brought into the accounts of the Woolwich expenditure. As to Sheerness, it was true that the expense was increased; but this arose from a great part of the business which was before done at Chatham being about to be transferred thither. As to the establishment at St. John's-wood, he would state what that was. During the war it was considered necessary to have a brigade of cavalry there. The barracks for them were taken for a long lease, it not being thought that the battle of Waterloo would so soon have rendered the lease unnecessary; that barrack was still on hand, and one person was kept to take care of it. It was kept because the lease was unexpired, and he could assure the hon. gentleman that he might have it cheap if he were disposed to take it off the hands of government at present. The establishment at Trincomalee, he observed, was kept in consequence of its being considered necessary for the assistance of the navy. He denied that any clerks were allowed to retire on a full salary, after a short service. He could not then confidently say that there were not any who retired on full pay; but this he could state, that all who were reduced were allowed a portion of their salary; but he challenged the hon. member to produce an instance where any clerk was allowed to retire on full pay after four years service. The hon. gentleman had said, that there was an expense of 500*l.* incurred for what was called taking returns of stores. This, however, was grossly incorrect. The fact was, that when a storekeeper was changed, he gave in an account of the stores which had been under his charge, which account was checked by that of a person employed to inspect the stores. This could not be done by the person so changed, and therefore it was deemed most expedient to send a person from London for the purpose. How the hon. member could call this giving a man 500*l.* for taking returns of old stores, he was at a loss to conceive. He protested against the whole of the hon. member's statement, and would leave it to any unprejudiced man, to state whether he had been fairly treated in being thus brought to argue upon the estimates of several years without any documents, or any preparation whatever. It was true that he had consented to the notice of motion, but he had been unfairly treated by being thus trepanned into such a discussion without preparation. Before he sat down he wished to make one other observation. If the hon. member wished to draw a comparison between the Ordnance estimates of the present year and those of 1793, he should have taken it into his consideration that the prices of things had doubled—that the number of the artillery had been doubled—that the pay of the men had been more than doubled. The hon. member might quarrel with the increase of men, if he pleased, but he had no right to say, that with a double number of troops the expense ought to continue the same. He ought to recollect that the union with Ireland cast an additional expense of 130,000*l.* a year on the Ordnance department of this country. He forgot the improvements which had been made in our artillery service. He forgot that the arms now used in the Ordnance department differed widely from those used when the estimates were 400,000*l.* a year. He forgot, too, the introduction of the horse artillery, and of the driver corps, the latter of which had been properly called by the hon. member for Shrewsbury the sinews of war. The hon. member had omitted to notice all these, which if deducted from the excess of the present establishment above the expense of 1793, would leave a very little difference. Considering these circumstances, and the increase in our colonies, though he might admit that some things might be cut off, he was rather astonished that the expense was so low as it was.

Sir *R. Fergusson* expressed his surprise, that the right hon. gentleman had left untouched the principal argument—which was, the increase of salaries to the clerks and other officers.

Sir *H. Parnell* contended, that the speech of his hon. friend had been left unanswered. Without entering into any detail, he would read an extract from the 6th report of the Committee of finance. The report stated, that "of late years a system of progressive increase of salaries had been extended to most of the public officers; but in the Ordnance department, this was carried to the greatest length." This, he contended, was sufficient to convince the House of the fallacy of the right hon. gentleman's speech.

The House divided: Ayes 44. Noes 58. Majority against Mr. Hume's motion 14.

List of the Minority.

Becher, W. W.
Benett, J.
Bennet, hon. H. G.
Benyon, B.
Bernal, R.
Bright, R.
Brougham, H.
Browne, Dom.
Caulfield, hon. H.
Creevey, Thos.
Denison, Jos.
Evans, Wm.
Fergusson, sir R.
Fitzgerald, right hon. M.
Glenorchy, lord
Gordon, R.
Graham, S.
Grenfell, P.
Guise, sir W.
Harbord, hon. E.
Heron, sir R.
Hill, lord A.
Hobhouse, J. C.
Hutchinson, hon. C. H.
Langton, J. H.
Lennard, T. B.
Macdonald, Jas.
Martin, J.
Monck, J. B.
Newport, sir J.
Nugent, lord
Parnell, sir H.
Ricardo, D.
Rice, hon. G.
Robarts, A.
Robarts, G. J.
Sefton, earl of
Sykes, D.
Talbot, R. W.
Taylor, M. A.
Tremayne, J. H.
Whitmore, W. W.
Williams, W.
Wyvill, M.

TELLERS.

Hume, J.
Folkestone, visc.

HOUSE OF LORDS.

Monday, February 19.

Naples—Conduct of the Allied Powers.] Earl *Grey* rose, in pursuance of his notice, to move for such further information as was necessary to obtain a view of all the circumstances by which their lordships might be enabled to form a correct judgment of the conduct of his majesty's ministers relative to Naples. The recent changes which had taken place in that government were such as must appear of great importance to every person who looked at political events with a view to their effects on the general interests of this country and of mankind. It had been obvious that, from the very first, the events to which he alluded had excited a hostile feeling in that Alliance, which, notwithstanding that it assumed to itself the epithet of Holy, had manifested views calculated to alarm every friend of freedom. From the first, the intentions of that confederacy had been the cause of much anxiety all over Europe; and that anxiety was more particularly manifested in this country, from the desire which naturally existed to know what part would be taken by his majesty's ministers, when designs hostile to every principle of national law, appeared to be meditated. Impressed with these feelings, he had, on the first day of the session availed himself of the earliest opportunity afforded him to direct the attention of their lordships to this important subject; and on a subsequent day he had inquired whether the representation issued by the allied courts on the subject of the Neapolitan revolution did correctly and truly state the disposition and engagements of his majesty's government with respect to such events as those which had taken place. The answer given on that occasion by the noble earl opposite appeared to be in a great degree satisfactory. He had said, that the document which had appeared in the public papers, though substantially true, was in some respect not correct. He disclaimed the engagements to which it was therein stated that this government was a party; and he disclaimed the principle of interference with the internal arrangements of independent states—stating, what every one would admit, that circumstances might arise by which such interference would be justified. The noble earl then proposed to lay before the House a document, containing a full explanation of the conduct pursued by his majesty's government.

That paper had, in conformity with the noble earl's promise, been laid before their lordships; and it was now for him to regret that, after perusing it, he had not obtained from it that satisfaction as to the conduct of his majesty's government which he expected it would have afforded. He felt himself, therefore, bound to propose that their lordships should address his majesty for further information; and, in doing so, he thought it necessary to trouble their lordships with some observations on the note of the allied sovereigns, and on the paper in reply to it which the noble lord had laid on the table of the House. After the disclaimer of his majesty's ministers, cold and feeble as it was, that the claim of interference set up by the allied powers was one which could not be admitted, as being contrary to all the principles of international law, it might perhaps be thought unnecessary for him to say any thing on that subject. He could not, however, help noticing the remarkable principle asserted in the paper published in the "Hamburgh Correspondent" in December last, as the circular of the allied powers. The claim set up was nothing less than the right of a general superintendence of the states of Europe, and of the suppression of all changes in their internal government, if those changes should be hostile to what the Holy Alliance called the legitimate principles of government. It mattered not how general the wish of the people for the change might be; it mattered not, however inoffensive that change might be to other states; it mattered not that every people were acknowledged to possess the right of correcting the abuses of their government, and rescuing themselves from political degradation. Yet those monarchs who had assumed the censorship of Europe, and sat in judgment on the internal transactions of other states, took upon themselves to summon before them the monarch of an independent state; to pronounce judgment on a constitution which, in concert with his people, he had given to his country, and threatened to enforce their judgment by arms. This was plainly declaring that all changes of government which did not square with their ideas of propriety were to be put down. Nothing could be more unjust, nothing more atrocious, than this principle. This was, however, the fair construction of the principle on which the sovereigns composing the Holy Alliance declared they would act. But this was not the first time that principle had been asserted: if their lordships' attention had been directed to what had been passing on the continent, they must have perceived the same principle advanced in papers which had previously been issued by the allied powers. If they looked at the Note on the subject of the German constitutions, presented by prince Metternich to the minister of Baden—that baron Berstett, of whom their lordships had recently heard so much—they would see the same principle laid down. They would also find it in the Memorial of the court of Russia on the transactions in Spain, and it was above all, most unequivocally and intelligibly propounded in the "Berlin Court Gazette" of the 19th December, though the paper which appeared in that gazette had no official signature; yet when their lordships considered the state of the press in Prussia, when they knew that every publication took place under the control of a strict censorship, it was impossible not to regard that document as published by authority, and as expressing the opinions and the views of the Prussian government. The gazette states, that there could be no communication between the allied powers and the government of Naples, because it is asserted that such communication would be, to recognize the legality of insurrection. The new constitution was declared to be the product of unlawful power, and it was distinctly stated that "the monarchical principle rejects every institution which is not determined upon and accomplished by the monarch himself of his own free will." This article in the Berlin Gazette appeared to be published for the purpose of clearly expounding the principle which had been more or less distinctly asserted in all the notes of the holy alliance published on the late events in Spain, Portugal, and Naples, and it went plainly to establish, that no change of government was to be permitted which appeared contrary to what was called "the monarchical principle"—that was to say, every reform of abuses, every improvement in government, which did not originate with a sovereign, of his own free will, was to be prevented. Were this principle to be successfully maintained, the triumph of tyranny would be complete, and the chains of mankind would be rivetted for ever. Was there, then, to be no improvement in government except such as was granted as a matter of favour? Hopeless, indeed, was the condition of the human race, if they were to obtain no political rights except such as spring from the benevolence of sovereigns—of the monarchs who composed the holy alliance.

And now he would ask, how did it happen that the first declaration which his majesty's minister had made in opposition to the despotic principles of that wicked confederacy was of so late a date as the 19th of January last? Was not the note of prince Metternich to baron Berstett, to which he had alluded, known to ministers? Were they ignorant of the memorial of the court of Russia on the affairs of Spain? And, finally, were they ignorant of the article which had appeared in the Berlin Gazette? He must say it appeared most clearly, that the principles on which the allied sovereigns meant to act could not fail to have been known to his majesty's ministers at a very early period, and long before the paper issued from Troppau, to which the declaration of the 19th of January replied. Now, either they did remonstrate or they did not. If they did, what then, he would ask, had become of the boasted authority of this country in the councils of Europe, when not only that authority was disregarded, but the consent of this country to the measures of the sovereigns was presumed? If they did not remonstrate, then what punishment could be sufficiently severe for a dereliction of duty calculated to inflict so much evil on this country and the world in general? On these points he demanded explanation. He begged their lordships to advert to the date of that paper which had been laid before the House. It was dated the 19th of January, only four days previous to the meeting of parliament. It had been said that the paper transmitted from Troppau was not intended for publication, and that it came upon them by surprise. At least so he had understood the noble earl; but at any rate the principle by which the allied sovereigns had signified they would be guided, was known long before, and the moment the assertion of that principle was known, it became the duty of the British government to remonstrate. But nothing was done by ministers until within a few days of the assembling of parliament. It appeared, therefore, that their declaration was issued rather to meet discussions which they knew were unavoidable, and to cover a concert which they dared not openly avow, than to operate in any manner on the decisions of the allied powers. When the confederacy was directing an attack against Naples, what was the conduct of ministers towards those powers? They continued in the closest union and harmony with them. But what had been their conduct to Naples? A suspension of all amicable intercourse. The noble earl opposite, he perceived, dissented; but he asserted, that by the refusal to acknowledge the Neapolitan minister, and to accredit a minister to the court of Naples, all the accustomed relations of friendly powers had been interrupted, and consequently all real amicable intercourse suspended. This was calculated to strengthen the suspicion, that however much the secretary for foreign affairs condemned the principle broached in the declaration of the congress at Troppau, there was in reality no serious objection to it. It was not to be forgotten, too, that while ministers were refusing all intercourse with Naples, they had assembled a British squadron in the bay of Naples. Whether this was done to assist the allies or defend Naples, was to be inferred from the circumstances which had taken place: and here he could not help remarking, that one of the vessels of the squadron, that in which the king of Naples embarked, bore the ensign of one of the powers which had summoned the king of Naples to their bar. By this employment of a British squadron ministers had exhibited this country co-operating in an act which amounted to a degradation of the kingly office, and was an example of injustice unequalled in the history of modern times by any thing except the decoying of Ferdinand of Spain to Bayonne—an example of atrocity which was now taken for a model by those persons who had most strongly condemned it.

He came now to the consideration of the paper dated from the Foreign office, in which the principle advanced by the holy alliance was so delicately treated. To this paper, however, chilled as it was by all the frosts, and involved in all the fogs of winter, it was now necessary for him to direct their lordships attention. That paper purported to have two objects: the first was disposed of by a disclaimer of the principle contained in the Troppau circular. Stripped of all the verbiage in which it was involved, the disclaimer amounted to this,—that the principle was regarded as contrary to international law. He assumed, then, that this principle was admitted by the secretary of state for foreign affairs to be one which it was the duty of this government to resist. This despatch of ministers however, said—"With respect to the particular case of Naples, the British government, at the very earliest moment, did not hesitate to express their strong disapprobation of the mode and circumstances under which that revolution was understood to have been effected." Understood! Did ministers not know the manner in which the revolution had been accomplished? If not, what right had they to assume any thing unfavourable respecting it? Why did they infer that the change had been made on principles which they were bound to condemn? If they proceeded to judge, they ought to have founded their judgment on facts; but they talked only of what they understood! Now he would ask, whether ministers had made this statement without communicating with the Neapolitan government, whether they had sought information on the subject through the proper channels—through channels which might have corrected their misconceptions, and have induced them to change an opinion founded only on what they "understood" to have taken place? Here, in the very outset of the business, it was plain they had shown a bias in favour of the holy alliance, and against Naples:—a bias totally inconsistent even with the system of cold neutrality to which they pretended. The answer of ministers, after stating their understanding of the matter, went on thus:—"But they at the same time expressly declared to the several allied courts that they should not consider themselves as either called upon or justified to advise an interference on the part of this country: they fully admitted, however, that other European states, and especially Austria and the Italian powers, might feel themselves differently circumstanced; and they professed that it was not their purpose to prejudge the question as it might affect them, or to interfere with the course which such states might think fit to adopt, with a view to their own security, provided only that they were ready to give every reasonable assurance that their views were not directed to purposes of aggrandizement, subversive of the territorial system of Europe as established by the late treaties." After reading this passage he must say that the conduct of his majesty's ministers had in this case been as inconsistent as it was extraordinary. Their lordships had seen that they abruptly put an end to all intercourse with Naples. Now he would ask, upon what principle had they so acted? They had no accredited minister at the court of Naples, notwithstanding that the king remained on his throne. But he was no longer an arbitrary monarch. Was that their reason for suspending all amicable relations? Upon what principle did the changes which had taken place in Naples make such a difference in the diplomatic intercourse of the two countries necessary? Was it occasioned by the description of persons who produced the revolution? Did a revolution, produced by an army in concert with the people, put an end to all relations with this country, while a revolution of another kind had no such effect? Their lordships had seen free constitutions overthrown by armies in concert with kings, and yet no such consequence as the interruption of friendly relations had followed. They had seen in Spain a constitution to which we were bound to give protection by every feeling of sympathy, by every sentiment of generosity, and every tie of gratitude for the noble struggle made by the people of that country during the war. Their lordships, however, well knew that the constitution of Spain was overthrown by an army under the direction of the king, and yet they had seen no such consequence as had occurred with respect to Naples. Amicable relations were without scruple continued with the court of Spain after Ferdinand had subverted that constitution which this country was bound to support. There was no accounting for this distinction but upon the supposition that ministers had one rule for revolutions in favour of liberty, and another for revolutions in favour of despotism. The latter were by every means to be encouraged, and the former discountenanced, and if possible punished. When what had passed was impartially looked at, the inference drawn must be this—that the objection to the Neapolitan revolution was the characterestics of freedom which belonged to it, and that, being a revolution the object of which was to limit not to create arbitrary power, it was therefore to be severely condemned. The case of Sicily was similar. There a constitution was established with the co-operation of the British government, but that constitution was soon after overturned by the present king of Naples. That arbitrary act, however, occasioned no suspension of the friendly intercourse between the two governments. It was not said that a minister could no longer be accredited to the court of Naples, because the king had put down the constitution of Sicily.

The reply of ministers to the Troppau declaration amounted only to this—that though they asserted the right of independent nations to regulate their own affairs, yet they directly admitted that the case of Naples must be considered an exception. They said they would not interfere to prevent the atrocious attack meditated against Naples, if the allied powers were ready to give an assurance that their views were not directed to purposes of aggrandizement. This seemed, indeed, to be a natural consequence of the system of ministers, and perfectly consistent with the principle which the foreign secretary of state had in view in the treaties he had concluded. That principle was one of mere temporary convenience. It was a balance founded on territorial arrangements, instead of resting, as it ought, on national rights. It was a natural consequence of this principle, that their lordships should have witnessed the shameful transfers made at the late peace—that they should have seen Genoa delivered up to Sardinia, Venice to Austria, and Norway to Sweden. He did not mean to speak lightly of the propriety of preserving a balance of European power; but he contended that it was to be preserved only by an adherence to the principles of right and justice, and that it was to be secured, not by territorial arrangements, but by a system which would assure to the weak protection against the aggressions of the powerful. But ministers had admitted Naples to be an exception to their principle of non-interference; and all that they asked of the allied powers was, an assurance that they had in view no territorial aggrandizement. When, however, ministers spoke of assurances, he would ask how could they rely on them when obtained? Austria, he was afraid, would occupy Naples; for, much as he relied on the effects of the flame of liberty in resisting tyranny, he was apprehensive that no efficient opposition could in the first instance be made to the power of Austria. But when that power occupied Naples, what would be her situation? She might have given assurances against territorial aggrandizement, but would she find it convenient to abandon her conquest? Would not the Austrian armies in the centre of a hostile country make the existence of that hostility a ground for retaining possession as long as they might be able. If they succeeded in making a complete conquest, and afterwards retired, then, even in that view of the case, Naples would remain dependent on Austria. Would not that state of things lead to a reasonable jealousy and apprehension in the other states of Europe. He believed that no persons who had experience of the conduct of Austria would place much reliance on assurances of refraining from territorial aggrandizement given by that power. Could any person in Europe believe that Austria was willing to relinquish her schemes of ambition with respect to Italy? But what encouragement would not the conduct of Austria give to the projects of other powers! Their lordships had seen at a very early period of the negotiations for peace great jealousies manifested among the powers now calling themselves the holy alliance. Nay, they had even seen the British minister holding out Russia as a power whose views were to be guarded against. If Austria gained by the events of Italy, the first thing done by the other powers would be to claim accessions of territory in compensation. It could not be doubted that Russia and Prussia had already claims in contemplation: and would France remain a calm spectator of the changes about to take place? It was scarcely possible that Austria could accomplish her purpose without exciting new convulsions in Europe; and as for the security required by ministers, it was good for nothing.

This was, however, deviating from that which was the object he chiefly had in view, which was, to consider what ought to have been the conduct of the British government on the declarations of the allies. He should therefore turn to the paper which had been addressed to the senate of Hamburgh. That paper put very plainly that construction on the late treaties which ministers denied. That paper says, " The monarchs assembled at Troppau have concerted together the measures required by circumstances, and have communicated to the courts of London and Paris their intention of attaining the end desired, either by mediation or by force. With this view they have invited the king of the Two Sicilies to repair to Laybach, to appear as conciliator between his misguided people and the states whose tranquillity is endangered. By this state of things, and as they have resolved not to recognize any authority established by the seditious, it is only with the king they can confer. As the system to be followed has no other foundation than treaties already existing, they have no doubt of the assent of the courts of Paris and London." To this assertion however ministers gave a distinct negative. Now on this he could not help observing that their lordships had in this paper, issued by the sovereigns at Troppau, another proof of the extent of that harmony and confidence which it was pretended subsisted among the powers of Europe. The treaties alluded to were concluded only a few years ago, and their lordships must well recollect the pains which were taken to prevent any misunderstanding. A congress was for this purpose assembled, and innumerable notes were exchanged; and yet, after all, the parties disagreed on a most important principle. In December, 1820, their lordships found his majesty's ministers maintaining one construction and the allies another. Repeated explanations, it is said, have taken place on the subject, and ministers had more than once declared in parliament that the interpretation of the sovereigns was erroneous; but still the members of the Holy Alliance maintain that theirs is the right construction, and that Great Britain has given her assent to the principle of interference in the domestic affairs of independent states.

He had now a few words to say on the exception made with respect to Naples. Ministers first disclaimed the principle set up by the allies: secondly, their answer contained a refusal of becoming parties to the projected measures; and thirdly came the exception, which was very strangely worded. It is said—" they regard its exercise as an exception to the general principles of the greatest value." Here it was not very easy to discover whether it was the principle or the exception which was stated to be of " the greatest value." Fourthly and lastly, he had to call their lordships' attention again to the admission that no opposition would be given to the projects of the Allies, provided they gave security that they had no views of territorial aggrandizement. Now, he would ask, what was the use of general principles, except as a guide for conduct in particular circumstances—except they were applied to existing emergencies? To state them, and to reason about them, without reference to their application, would be acting the part of schoolmen, and not of statesmen—would be to advance and reason about abstractions, instead of the rules and the principles of action. In the circular it was said, that there were certain exceptions to the principle of non-interference in the offices of foreign states. He would then ask what was the exception, and on what ground was it justified? The exception was, "when the immediate security or essential interests of one state are seriously endangered by the internal transactions of another." On what ground was the interference justified? On that of necessity. Whence does that necessity arise? Out of a real, serious, and pressing danger, which leaves no choice, admits of no doubt, and can only be averted by an immediate appeal to force. This danger must not be either uncertain in its existence or remote in its approach, but such a clear, intelligible, obvious danger, as cannot be denied, and admits of no other remedy than a departure from the general principles of international law. Such a state of things occurs when the government of one nation holds out encouragement to the subjects of another to resist its authority, or offers assistance to rebellious projects. In illustration of this, he might allude to the decree of the French National Assembly of the 19th November, 1792, which in his opinion would have been a legitimate cause of war against the then government of France, had an explanation of the obnoxious measure been demanded and refused. But such a monstrous principle as that on which the Allied Powers professed to act with respect to Naples had never been heard of in the history of the world. That a nation offering no encouragement to rebellion in other nations, and announcing no projects of foreign aggression, but merely making improvements or operating changes in its own internal government, should present a fit subject of complaint, remonstrance, or interference, on the part of its neighbours, was such a monstrous principle as had never been maintained by any writer on public law, and never before avowed or acted upon by the most profligate ambition. Look at the situation and conduct of the people who were so menaced. No force was offered to independent states; no aggression had taken place or was threatened; no principles subversive of general order were professed; the laws were preserved and enforced; the sovereign was maintained in his office; and merely because the monstrous system on which the government had formerly been conducted—a system which had destroyed the resources, and depressed the energies of the people of that country—had been improved, and the power of the king limited by his own consent; although every thing was done inoffensively and without tumult or confusion; yet the alliance threatened to overthrow the constitution which had been established, and to destroy the improvements which had been effected, lest they might excite the hopes of neighbouring states to attain similar advantages. This was the reason of their interference; this was the necessity upon which they justified their departure from the principles of international law. There never was a revolution in the history of the world brought about in a more peaceful manner, or exhibiting itself in a less offensive form to neighbouring nations: not a drop of blood, so far as he was informed, had been shed; no tumults or violence had taken place; the property of no individuals had been invaded; the king was not only maintained upon his throne, but had sanctioned the limitations of his authority, had given his consent to the constitution by which it was henceforward to be regulated; and yet it was against this revolution that the vengeance of the allies was denounced in the general principle of interference which they professed; and this country was called upon to sanction the application of a law, which would condemn in the abstract every attempt of an independent state to improve its government or to better the laws for its internal regulation! He held in his hand a diplomatic note of the duke of Campo Chiaro, in which that minister appealed to the sovereigns of Europe in favour of the revolution effected in his country, and justified it as being neither dangerous nor offensive to foreign states. The allied sovereigns, with this explanation before them, and acquainted with the conduct and circumstances of the Neapolitan revolution, had interfered on the general principle of a right to interfere, and had thus the merit of acting openly and without disguise, not aggravating the violence of injustice by the meanness of fraud. He could not but declare that he considered this as one of the most monstrous instances of injustice that the world had ever heard of and that the conduct of our government with respect to it demanded the strictest scrutiny and the most explicit explanation. The suspension of the intercourse of the English government with that of Naples, through its accredited agents, seemed to give countenance to a participation on our part in the policy which he had so justly condemned; and he therefore could not be satisfied till that conduct was cleared up by papers or other official explanations.

Although he might here end his remarks, and was not required by the motion with which he would conclude to enter farther into the subject, yet he would descend a little into the particular grounds on which the allies justified their interference with the internal affairs of Naples. These grounds had been alluded to in the circular of the Holy Alliance, and had been mentioned at various times in the discussions to which their conduct gave rise. We were told that there was a sect or party at Naples which had occasioned the revolution, and that this sect was called the Carbonari; but if the fact of the revolution being occasioned by a sect gave a right of interference, such a right might be claimed in every revolution. This cause of complaint would apply to every political change; almost all the revolutions within our knowledge had been brought about by similar means. He was one of those old-fashioned politicians, who thought that every great political change might be traced to previous misgovernment. In such a situation, sects would be formed, and leaders would always be found, for effecting a revolution; and it would be very unjust to accuse those as being the causes of it who were only the instruments, and to punish them for taking the only means of effecting their objects. Let their lordships look to the revolution of 1688, and then he would ask them, if it could have been carried into effect without the combinations of those great men, who restored and secured our religion, our laws, and our liberties, and without such mutual communications among them as would bring them under the description of a sect or party? The Carbonari, however, were not always so obnoxious to the allies, and had become so only from their late conduct in favour of freedom. That sect had been formed as early as 1812; it was then encouraged and protected by the allies; it was then supported by them as an instrument against France; the object which it then professed to pursue was a constitution for Italy, and the expulsion of the French power from that country; it was then a favourite with the allies. Such was its history. But even although the revolution at Naples had been brought about by a smaller number than such a powerful and long established body, that circumstance, in his opinion, would not have impeached its merits, or have given the allies any additional right of interference; especially when it was considered, that it was adopted by the people without being imposed upon them by any force or violence. They not only showed a passive acquiescence in the operations of this sect, but actively concurred in establishing the constitution which they introduced; and what was at first a sect became at last, according to an expression which he had heard used, "the universal people." That the revolution was the effect of the general will, might be proved by the rapidity with which it was established and the unanimity with which it had been supported. We had seen, during that great change, none of the usual heats and animosities with which revolutions were accompanied—none of those tumults and conflicts which arise from difference of opinion. It was established in a few days without confusion or blood-shed; and, he believed, had no parallel in the history of the world.

They were told, however, that the Neapolitan revolution had not only been the work of a sect, but that they had employed the army as the instrument in effecting their purpose. He did not see any more strength in this objection than in the former. If they were to have armies, they must reconcile themselves to the idea, that when a soldier enlisted into them he did not surrender the feelings of a man; that he remained a citizen when under arms, and must sympathise with his countrymen. In a revolution the army must always take one side or the other: it must support the sovereign against the people, or aid the people in demanding their rights of the sovereign. God forbid that it should always, and in all circumstances, take the side of arbitrary power! God forbid that tyranny, however monstrous or oppressive, should always be defended by the army! He rejoiced to consider that soldiers when enlisted did not cease to be men, and that sovereigns were sometimes taught by their taking an opposite side, that their best guards and protection were the confidence and love of the people. God forbid that in all circumstances they should support arbitrary power against the just claims of liberty, and that language like the following should be held to nations desirous of improving the system of their government—language, however, which was held, in effect, by the present interference! The sovereigns thus said to the people—"Reform you may have, but it must come of our free will, and you must not employ the only means, or use the only instrument, for procuring it. The sect or the army which have assisted you must be disbanded or punished; and after we have done so, we will give you that portion of liberty which we shall think proper to dispense." What would have been our own position at the time when our ancestors exerted themselves to establish that constitution which they had handed down to us, had the army which was less then than it is now, continued firm to that misguided monarch James II, in opposing the just claims of his subjects? How lamentable would have been our situation, and how much would the recovery of our religion and our laws have been impeded, had the army at that time acted so as to earn the approbation of a body of sovereigns like the holy alliance! Divesting the principles promulgated in the circular, and the conduct of the allies, of all pretexts, what language did they hold but the following, to the people of Naples? "You shall have no liberty but what is agreeable to our will; we cannot permit it to be enjoyed in our states, nor will we allow it in you: as we are resolved not to give freedom ourselves, we will not have free neighbours; freedom at Naples might encourage the people of Germany, and the people in the north of Italy, to demand a similar boon. It might incite the inhabitants of Breslau, or of the banks of the Rhine, to seek for those constitutions which have been long promised and always delayed; nay, it might even penetrate into the frosts of Russia and elicit a new spark in the breasts of those who expelled Buonaparte from their inhospitable wilds. Expect not, therefore, that we can permit you to improve the system of your government. Overthrow the constitution you have established, or prepare for the full infliction of our wrath." Such was the language held by the assembled sovereigns to the people of Naples—language which, without some explanation from ministers, he was bound to say they not only tolerated, but abetted and encouraged.

There remained one other ground on which the conduct of Austria towards Naples was attempted to be justified. A secret article of the treaty between these states in 1815, stipulated, that the high contracting parties would not admit any constitution but of a certain kind, in which the "monarchical principle" would predominate. The noble earl here read the secret article to which he alluded, and contended that its proper construction did not bear out the interpretation which had been put upon it. Like all other articles of restraint, it was to be construed strictly; and he did not think such a construction warranted the interference of Austria under circumstances like those which the Neapolitan revolution had presented. It related, so far as he could comprehend it, only to the re-establishment of the government at that time, and could not be considered as a permanent guarantee of the existence of an unimproved government. But even although the latter interpretation could be put upon it, it could act as no restraint on Naples in improving her constitution. It was impossible that in this sense the treaty could be executed: it was an immoral and unjust convention, inconsistent with the rights of nations, and beyond the power of being fulfilled. It made the sovereign of Naples a party against his own subjects, and bound him not to consult their advantage, to which he was bound by the solemn duties of his office. On all these grounds he conceived it was a contract that his Neapolitan majesty could not make without forfeiting his rights to the throne, by first having forfeited the duties for the performance of which he held it. When he looked around, and saw that no changes were to be permitted but those which were inconsistent with the independence of states and the rights of mankind; when he saw Austria, because she had dominions in Italy, declaring that no part of Italy should enjoy freedom, lest that freedom should become contagious, he could scarcely restrain his indignation. Of what nature was the government of Austria in

Italy? It was the government of strangers in that country; it was founded on recent conquest, and had for its principle that every thing was to be done there for the benefit of Austria, and not for that of Italy. If any new law was to be enacted, it was, to secure the interests of Austria; if any tax was to be levied, it was for Austria; if any conscription was to be raised, it was for defending the rights of Austria, and not of Italy. Agriculture, manufactures, and commerce, languished on account of the power exercised by Austria; even literature and the arts had felt the influence of foreign dominion. No improvement could be expected in a state so governed; and was Naples to be restrained from attaining her rights, or establishing her freedom, because the dominion of the Emperor of Austria might be rendered less secure in the north of Italy by an improvement in the south? Such a monstrous principle he thought could not be maintained for a moment. Besides, Naples had been promised a free constitution on the return of the king from Sicily. A promise of a more liberal constitution had been held out by Murat as an inducement to the Neapolitans to join his standard and support his throne. The offer of such a constitution was the last act of his reign as a bribe for support; and a similar offer was the first act which the legitimate king, as he was called, performed on returning to his native dominions. The execution of these promises was withheld, and the result was, that the Neapolitans had secured their own freedom themselves. The sovereigns of Europe had met to declare that no new reforms should be permitted unless such as emanated from themselves, or received their sanction. He now, therefore, called upon ministers to explain their conduct in appearing to favour such a confederacy, and in committing the government to acts so derogatory from the interests and the honour of the country. He called upon them to explain why their conduct had been so different in the two cases of Spain and Naples, which were so similar in their nature. When the Spanish revolution was effected, no suspension of intercourse had taken place; and he wished to know why our relations with Naples should have been placed on a different footing. He asked these explanations for the honour and the safety of the country, which had been compromised by the undecided, temporizing, and, he would add, pusillanimous conduct of his majesty's ministers. He should rejoice to find that the noble earl opposite could make that explanation satisfactory; but, at any rate, he would sit down with the consciousness of having discharged his duty, even although he might be disappointed by the vote of the House in obtaining the papers for which he moved. The noble earl then moved for "Copies or extracts of all communications between his majesty's government and foreign governments, relative to the affairs of Naples."

The Earl of *Liverpool* said, he could assure the noble earl and the House that though he must oppose the motion, he was not sorry it had been brought forward, and that thus an opportunity was afforded him of explaining and defending, if it required explanation or defence, that circular communication on which the noble earl had commented, and also of answering the general observations which he had thrown out. The circular of the 19th of January, he would contend, contained a clear, distinct, and intelligible exposition of the views of his majesty's government on the matter to which it referred, and the principles on which the allies professed to act. Although he had been willing to grant the papers moved for by the noble earl, he could not sanction a motion which was introduced for the purpose of censuring the conduct of government, without appearing to allow the justness of that censure. If any of their lordships should be of opinion, after considering all the circumstances of the case, that the communication made by ministers had been erroneous; or, still more, that it had been criminal; if they believed that its results would be different from what appeared to them to be true policy of this government, those who entertained such sentiments would, of course, vote for the motion. The noble earl had adverted to what passed on this subject on the first day of the session. The noble earl's observation went to this —that the paper laid on the table, and which was dated on the 19th of January was intended for the meeting of parliament, and that the sentiments which it contained should have been made known at an earlier period: therefore, he concluded, that the conduct of ministers, in withholding it for some time, was reprehensible in a greater or less degree. Now, as there had been some misapprehension on the subject, he begged their lordships to look to the circumstances under which the original declaration itself was brought forward. He had undoubtedly stated that the existence of this document was first known about the end of December. But it was known at that time, not as a paper that had been communicated to other powers, but as the project of a paper that was intended to be made known to them; and a determination to answer it on the part of this government, whenever it was made public, was then entertained; because, actually, at the time when this paper was formally announced and communicated officially to government, it was distinctly stated, that such a document would render it necessary for this government to frame an answer as early as possible. It was therefore evident that an answer was designed, even before the paper was known to other powers: but he was perfectly ready to admit, that the official publication of the document rendered the answer more necessary than ever. He, however, begged leave to remind the noble earl that there was not one word respecting the general doctrines contained in the answer, or respecting Naples, that had not been frequently repeated, in different papers, in the course of the last year. What had taken place some months ago, with reference to the revolution in Spain? A noble baron (lord Holland) had asked him a question respecting a document published at St. Petersburgh, in which mention was made of the Spanish revolution. On that occasion he had not only disclaimed the doctrines contained in that paper, but had distinctly stated to the House that the government of this country had clearly explained itself on the subject; and he had further stated, that the production and publication of the papers alluded to, would rather tend to prejudice than to benefit the cause which the noble baron wished to assist. The paper published by this government did not contain any new doctrine, but merely set forth the doctrines which Great Britain had held from the beginning; and, with respect to Naples, referred to those great general principles which had been repeatedly promulgated. The doctrines published on the 19th of January had been held on all occasions, from the treaty of Paris, with reference to the revolution in Spain, and in like manner with respect to the revolution at Naples. Indeed, those doctrines had been maintained on every occasion when this government was called on to state its sentiments. Therefore, whether those sentiments were right or wrong, it could not be fairly asserted that they were first sent forth on the 19th of January. They were published when the nature and circumstances of the case required it; and he had the evidence of the paper itself to show, that it was known to the allies; and, indeed, that it was known to all Europe. He had no difficulty in saying, that some reasons might exist for publishing those sentiments now, which did not exist on former occasions. In the first place, circumstances had assumed an entirely new shape; for some of the continental powers wished the right of one interfering in the internal concerns of another to be generally acknowledged; and the paper published by those powers actually went to propose a prospective league, with a view of deciding what were the cases in which different countries might interfere in the internal concerns of other states. They did not look to the modification of the general principle, more or less, but they endeavoured to give practical effect to those principles, looking to the necessity of any given communication.

Having said thus much on the different papers, the noble earl alluded to what he called—"the Holy Alliance." He knew not for what particular purpose the noble earl had made that allusion, as it was an alliance to which this country was not a party. Whatever objection the people of other countries might have to that alliance, to us at least its existence was harmless. The noble earl seemed to think that it was connected with this government in some secret manner. He could assure the noble earl that his apprehensions were unfounded. There was no mystery, difficulty or doubt about the conduct of the English government. No arrangement had been made with any foreign power, except those which had been regularly laid before parliament. There never had been any arrangement with this country respecting the operations of foreign powers, growing out of the treaty of Paris, or out of any other treaty, that had not been laid on their table, and of which noble lords opposite had not full and perfect cognizance. With respect to the note which had been addressed to our ministers abroad, it consisted of two parts—the one referred to general principles, as to the interference or non-interference of countries in the internal affairs of other countries; the other, the application of those principles to the present situation of Europe. If he comprehended the speech of the noble earl, he did not understand him to make any objection to the opinions contained in the first part of the note. He did not understand the noble earl, to deny either the principle laid down or the qualification attached to it. There seemed to be no difference of opinion between him and the noble earl, on the great general principle, that it required a strong and special case to justify the interference of one country in the internal affairs of another, or that such strong special case could not by possibility exist. Practically he knew how difficult it was to apply those general principles; and many objections might be urged against them. The right, however, of interference growing out of special circumstances, must rather be considered as an exception to a general rule, than any part of that general rule itself. But there was one mode of judging, which came as near to the general principle as could be—namely, in what consisted the right of a country to make war at all, under any circumstances? It was its own security which imparted that right. It was to support that right that the great refinement of the balance of power was intended, because it appeared to be necessary for the purposes of self-defence. He contended as strongly as the noble earl, or any other person, that the only ground which could justify the interference of one state in the affairs of another, was a strong special case, founded on the principles of self-defence and necessary security. A state could not say " We will attack another state, because the conduct of the people affords a bad example." The right of interference must rest on a more clear, decisive, and intelligible object; because, if a dread of example could give to one country a right to interfere with another, a vicious and depraved state might assume the right of attacking a virtuous community, whose good example was disapproved of by the former.

What, then, did the noble earl object to in this paper? since it was manifest from it that the government had not interfered, and did not mean to interfere, with respect to the internal affairs of the country in question. But, having got rid of the noble earl's argument, founded on the time when the paper was produced, his objection came to this—that ministers in giving their opinion, and in stating that they disapproved of the mode and circumstances under which the revolution at Naples was effected, did that which they had no right to do. He had no difficulty in stating, that he was friendly to that expression of opinion. If the noble earl would look to the ground of the revolution of Naples, he would see a variety of circumstances which made it not only proper but indispensably necessary that government should publish its disapproval of those proceedings. In the first place, that revolution was effected by a military mutiny; and, in the next, the Spanish constitution was adopted under the most extraordinary circumstances. He admitted, that neither of these circumstances, would afford just ground for an interference in the affairs of another country, since it was allowed that every state had a right to conduct its own affairs as it pleased, provided its transactions did not affect the tranquillity of other states. But still, if the military mutiny, or the adoption of the Spanish constitution, under such circumstances, appeared to be objectionable, he maintained that he had a right to express that opinion, while he, at the same time, stated that those two transactions did not afford a just ground for interference.

And here he would shortly apply himself to the view which the noble earl appeared to take of both these points. He said, " You must expect in great national convulsions that the military will take one side or the other, and it would be a most lamentable thing if they took part with despotic power:" and he alluded to what took place in our own country, when the army at Hounslow mutinied against king James. That, however, was a case in which a revolution was effected by those who looked towards a competent constitutional authority for the redress of their wrongs, and he could not conceive any two cases to present more striking points of difference. The case of Naples was not that of a people demanding a redress of grievances, receiving a refusal, and the military standing up in order to assist them in procuring that redress. Such, however, was the case in 1688, and with respect to other revolutions that had been effected in this country. At Naples the revolution was the effect of a military mutiny, carried on in secret by a sect whom he would presently notice, no statement of grievances having been previously made. It was the act of a military mutiny in the first instance by which the whole business had been brought about. He stated this, not as a ground for interfering with Naples, but as forming a very great distinction from the case to which the noble earl had referred. There was, however, another question which, he likewise admitted, afforded no practical jnstification, for interfering with the affairs of Naples. He meant the mode in which the revolution was conducted. If he looked to the constitution of this country, as it had grown up, nothing could be more distinctly observable than the manner in which their ancestors had proceeded. In the struggle for Magna Charta, in the Revolution of 1640, and in that of 1688, the distinct ground taken was a declaration of specific grievances to which practical remedies were to be applied, founded either on ancient rights, or on existing propositions. But this was very different from the course pursued in Naples where the revolution was effected without any declaration whatsoever, and a foreign constitution was adopted, of which those who thought fit to select it knew nothing. He had heard, though he did not vouch for the truth of the story, that when a copy of the constitution was called for, not one could be found in Naples. This blind and headstrong mode of proceeding, though not sufficient to call for interference, could not be considered without exciting feelings of strong reprobation. But there were grounds on which he meant to contend that foreign countries were justified in interfering with the internal affairs of other states. He was not standing up to justify the conduct of the allies in that respect. It was sufficient for him to say, that he saw no cause for the interference of this country. There was one ground for the interference of the allies which he was surprised the noble earl had overlooked. He alluded to the conduct of the revolutionary government of Naples towards Sicily. Nothing had occurred more outrageous or revolting, during the last five and twenty years, than the proceedings of these Neapolitans, with the word "liberty" in their mouths, to their Sicilian fellow-subjects. Every one who heard him was aware that Sicily was a distinct kingdom, though governed by the same king. The Sicilians had distinct rights, privileges, and laws. In short, Sicily possessed a distinct constitution of its own. Such was the situa- of Sicily; and could any man pretend to say, that if a large army at Naples chose to effect a revolution there, and chose also to adopt a Spanish constitution, the people of Sicily were to have no share in the modification of that constitution? What really took place on the occasion? When the event of the revolution at Naples was known, the strongest sentiments that could be conceived was manifested in Sicily against the new constitution. He knew that a strong feeling was also said to have been displayed against the royal family. This, however, he denied: no feeling but that of the most devoted loyalty was manifested towards them. What did the government of Naples do? They sent a large military force to Sicily to overawe public opinion, and to compel the Sicilians to submit. When that military force arrived at Palermo, they found the difficulties of the expedition greater than they had been led to suppose, and they were induced to enter into a capitulation with the inhabitants of Palermo, and the power stationed in that city—a capitulation as reasonable, as fair, as just, and as equitable, as ever was concluded. It was signed and completely executed. It stipulated that the two states should compose one kingdom. They were to have the same sovereign, but it was left to the Sicilians to decide whether they would have a distinct and separate parliament, or whether their parliament was to be incorporated with that of Naples. This being signed, and definitively agreed on, was sent to the revolutionary government of Naples; but that revolutionary government refused to ratify it: they broke the solemn agreement which their own officer had entered into. Now, if the people of Naples had a right to form this new constitution for themselves (and he was one who did not dispute that right), had not the people of Sicily, he would ask, an equal right to refuse to accept of that constitution, and to insist on the power of acting for themselves, as the Neapolitans had done? But the noble earl passed by all this. He touched on nothing but what he denominated the conduct of despots. The noble earl and his friends never complained of the conduct of usurpers; they never complained of the acts perpetrated by new dynasties—on these they looked with forbearance and tolerance—they only complained when the actions of legitimate monarchs were brought under consideration. The case which he had just stated was a case in point; and if this government, with the fact of Sicily before their eyes, had not stated their disapproval of such conduct, they would have neglected a solemn duty. He knew perfectly well that there was in Sicily, a great spirit of dissatisfaction at the conduct which had been pursued in Naples, and that an absolute refusal had been given to send any person to the parliament there. This was an internal circumstance which must, in a considerable degree, have guided the views of those who were called on to speak their sentiments with respect to this revolution.

He now came to another point, which was intimately connected with the proceedings at Naples. Probably there never was a revolution of this kind that did not originate in privacy and darkness. That he would admit to the noble earl. But he would ask, were the Carbonari a sect of Neapolitans, and of Neapolitans only? For Neapolitan purposes, he would say it was not right to interfere with them; because, whatever their principle might be, he would consider it as a question between them and their government, and with which we had nothing to do. But was this the fact? Were the Carbonari a Neapolitan sect only? Were they all even Italians? Was it not known that this sect extended not only to every part of Italy, but to Switzerland and Germany? Were not their principles similar to those which had been set in motion to overturn that which was called a legitimate government? Were not their principles practically and theoretically the same with those which were known at the period of the French revolution? The case, therefore, was entirely altered with respect to those people, (on the principle admitted, of the declaration of the 19th of July, 1792,) if they were found to be a sect having extensive connexions in other countries. The case then became an entirely new one. It was no longer a Neapolitan question, but went far beyond it. The distinction he drew was this—that there was a complete difference between a sect having for its object the new modelling of a government on constitutional principles, and one which extended into other countries, for the purpose, generally, of overturning existing governments. In the latter case it was no longer a national question, but one of a very distinct character. He, however, had not given any opinion—neither had his majesty's government—whether the conduct of the sect of Carbonari did, under all the circumstances, justify the interference of the emperor of Austria. He was not prepared to give an opinion that it did; but he certainly could not say that it did not: because the inference must depend on the nature of the circumstances taken together. It was possible that there might be a state of things not only to justify, but to render it imperative on a monarch, for the preservation of his authority, and for the good of his subjects, to interpose. When, however, it came to that point, it was a question not referable merely to Naples, but was one of a very extensive nature.

The noble earl had referred to the interruption of the diplomatic arrangements between this country and Naples. But, in point of fact, those arrangements were not dissolved. Sir W. A'Court was at present ambassador at the court of Naples for the court of Great Britain, while count de Ludolph was the minister here on the part of Naples: and, on a variety of occasions, communications had taken place between the two courts. He had indeed stated, on a former night, that, under existing circumstances, no new powers or authorities would be granted. But he, at the same time specially and particularly pointed out the reason; namely, the situation in which Naples stood with respect to Sicily;—a circumstance which was conclusive on the subject, because this country could not have given those new powers, without at once deciding against the Sicilians altogether. With regard, however, to the diplomatic authorities existing, no alteration had been made, and no interruption of the ordinary intercourse had taken place.—The noble earl had asked whether the government of this country was a party to the circumstance of the king of Naples having gone on board a British man-of-war. He would answer, that the British government were no party to the proceeding in any other way, except that in which he would have been ashamed if they had not been a party. When that monarch, by the advice of those who surrounded him, determined to go on board, it was the duty of the British government to grant him those accommodations which he particularly requested. That monarch had now reigned upwards of sixty years, and on all occasions he had been the friend and ally of this country. His personal character was also highly estimable; and it would have been unbecoming the government of this country if that monarch and his family had not been readily afforded every degree of accommodation.

With respect to the revolution at Naples, he would not now attempt to discuss the question whether it was justifiable or not; but he could not consider any two cases more different from each other than the first revolution in Spain and that which had occurred at Naples. In the case of Spain, their king was withdrawn from them by one of the most treacherous acts recorded in history. Being thus thrown upon themselves, they took up arms against their oppressors, drove them from their capital, and at last, from the necessity of the case, formed a government for themselves. That government, in the opinion of his noble friend behind him (the duke of Wellington), who was then in Spain, and also in the opinion of many other enlightened political characters, was unwise and impolitic, and was repeatedly modified for the purpose of giving additional strength to the executive part of it. Unfortunately, they failed in attaining that desirable object; and to their failure in that respect might be attributed all their subsequent misfortunes. But whether that government was good or bad was a matter of little importance, as, under existing circumstances, it was the legitimate authority of the country: it was by that government, seconded by the voice of the Spanish people, and supported by the valour of a British army, that the deliverance of Spain, which led to the general deliverance of Europe, was ultimately effected. It would be satisfactory to our ambassador at that court to have it known, that when he met king Ferdinand at Valencia, on his road to Madrid, he advised him to adopt it, and to act constitutionally. The monarch, however, when he reached his capital, was induced to adopt another course; but he adopted it in such a manner as was satisfactory to the great bulk of the nation, by issuing a proclamation for the immediate assembling of the Cortes. He afterwards prevented that body from assembling; and out of that event arose the late revolution in that country. The circumstances of it were, however, very different from those of the revolution in Naples, and chiefly in this point of view—that it was not the work of any particular sect, but was, in its main character and objects, a transaction purely national. Such being its description, what grounds could there be for the interference of any foreign power with the government of Spain? On all occasions when such interference was contemplated, there were two great questions to be solved; first, the moral question, was there cause to justify such interference? and then, supposing there to be a cause, was there power to make such interference effectual? On neither of these points was he called upon to give any opinion in the present case: he felt that there had been no ground either for the interference or for the aid or assistance of this country; although it was impossible not to reprobate the conduct, so hostile to the welfare and happiness of mankind, which had been pursued by the revolutionary government of Naples towards Sicily. The noble earl, among other questions, had asked how the king of Naples had come into the possession of his dominions? He would inform the noble earl. The king of Naples had come into the possession of them by the invasion of an Austrian army, who had driven out of them Joachim Murat, who had usurped authority over them. On Murat's being expelled from that country, Ferdinand was replaced on the throne of it by an Austrian army; and one of the stipulations made in the treaty by which he was so replaced was, that the Austrian government should, for a certain period, garrison all its fortresses. And here it was but common justice to that much calumniated government, the government of Austria, to observe, that it had shown the utmost readiness to withdraw its forces even before the period stipulated in the treaty had arrived. The noble earl had spoken a great deal about a secret article inserted in the treaty of peace between Austria and Naples. Though that article had never been officially communicated to the English government, he could assure the noble earl, that Austria had never built upon it as a strong part of her case against Naples. That secret article was not, however, one of a novel description; it was in perfect consonance with the spirit of ancient treaties, as well of those made under the auspices of Whig administrations, as of those approved of by Whig oppositions. The noble earl must be well aware that he alluded to those by which this government guaranteed the power of the Stadtholder—treaties which were founded upon the clearest principles of international law, and which had formed part of it from the very beginning of time. The noble earl had also alluded in general terms to a proclamation issued by the king of Naples to his subjects in 1815. Would the noble earl believe him when he stated, that he had not seen that proclamation till very lately, and that, from what he had seen of it, he was fully convinced that it was not a genuine document?

Such were the observations that he had thought it requisite to make upon the speech of the noble earl; and as the House had now the whole case before them, he would leave them to judge whether any interference in the affairs of Naples would have been justifiable on the part of this country. If they should be of opinion that the British government ought to have interfered, then they would agree, either entirely or in part, to the motion of the noble earl; if they should be of a contrary opinion, he thought that he had shown sufficient cause why the papers which the noble earl had moved for, should not be granted. He had assured their lordships that there had been no interference on the part of the British government in the affairs of Naples. He had described to them the feeling with which ministers had received the intelligence both of the Neapolitan and of the Spanish revolution. He had pointed out to them the manner in which the former event differed from the latter; and he trusted that he had shown that it did not require us to take any hostile part either in one way or the other. We had not yet taken any hostile steps, and he was happy to inform their lordships that it was not intended to take any hostile steps. With these observations he should leave the question with their lordships, and should sit down with a determination to oppose the present motion.

Lord *Holland* remarked, that, if the noble earl had proved that the conduct of his majesty's government had been in all respects justifiable, and that they had maintained a perfect neutrality towards Naples, he should still, and on narrower grounds, vote in favour of his noble friend's motion. That motion was for information on the subject. Before he alluded to the various topics connected with this interesting question; and before he stated the more forcible reasons by which he was stimulated, he would observe, that ample ground existed for the adoption of his noble friend's motion in the present imperfect state of information as to the precise character of the recent proceedings. The noble earl had contended, that a vote for further information would imply a necessity for parliamentary investigation, and the existence of a *prima facie* case against his majesty's ministers: that might be true if the present were the first motion for information on the subject: but that was not the case; there was already a paper on the table, and all that his noble friend contended for was, that the information in that paper was insufficient to enable their lordships to judge of the case, and therefore that additional information ought to be furnished. As his noble friend had stated, the best part of the paper on their lordships' table, the part which was expressed in a less confused and indistinct manner than any other, was the passage in which the British government protested against being concluded or bound by any treaty, either to accede to the proposed league of sovereigns, or to co-operate in the projected aggression on Naples. But was that sufficient? He was not going to be the apologist of foreign courts. God forbid that he should be guilty of what he should consider the greatest shame and disgrace that could possibly befal him! But this he would say, that, as far as appeared from the paper on the table, those foreign courts had the better of the case with our government; for they contended that there were treaties by which we were bound to co-operate with them; and our reply was, not a denial of that fact, but a reference to other documents, to other communications, to other discussions, not before the public or that House. To make the explanation complete, all the information which related to that reference ought to be produced. All that he had yet said, however, referred to points of comparatively minor importance. He confessed, that considering the complexion of the paper on the table, and the speech which had just been made by the noble earl, combined with the proceedings at Naples, he had little hesitation in saying, that there was great ground for the suspicion entertained by his noble friend of partiality on the part of the British government, if not of connivance in the proceedings of the allied powers against Naples. The noble earl had commenced his speech by observing, that his noble friend had laid great stress on the date of the circular of the British government, and had intimated a strong suspicion that it was merely intended for parliament. Certainly, it had that appearance. That circular was dated the 19th of January, and it professed to answer the declaration of the three courts of Austria, Russia, and Prussia. In the first place, the sentiments contained in the latter were not then for the first time expressed and acted upon by those three powers. The noble earl, however, had talked of previous discussions and representations. It was somewhat strange that all those previous discussions and representations had had so little effect in altering the views of the powers in question, that at so late a period as the 19th of January, the British government should find it necessary to make a public declaration of their sentiments, at a period when a knowledge of the opinion of England could no longer have a favourable operation on the great cause at stake. The last time he had adverted to the conduct of Austria, he had ventured to suggest to his majesty's ministers a passage which he thought they might very advantageously borrow from "Tom Thumb." In their conduct towards Naples, they seemed to him to have had in view a similar production. In the second act of "The Critic," at the commencement of the tragedy, Sir Christopher Hatton says to Sir Walter Raleigh—

> "There is a question which I yet must ask;
> A question which I never asked before—
> What mean these mighty armaments;
> This general muster? and this throng of
> chiefs?"

On which Sneer very pertinently asks Puff: "Pray Mr. Puff, how came Sir Christopher Hatton never to ask that question before?" What is the answer of the author? "What, before the play began? how the plague could he? Sir Christopher proceeds to tell sir Walter a great many circumstances, of every one of which the latter seems already apprised, which draws from Sneer the observation—"Mr. Puff, as he knows all this, why does Sir Walter go on telling him?" Puff replies—"But the audience are not supposed to know any thing of the matter; are they?" So it was with his majesty's ministers. They told their lordships that they had long been talking to the continental powers on the subject; but all this had had been kept secret from Naples and from the British parliament; both which were in the situation of the audience in "The Critic?" and having kept it back until the communication could be no longer serviceable to the Neapolitan cause, the British government then openly put to the allied sovereigns sir Christopher Hatton's question to sir Walter Raleigh:—

> "What mean these mighty armaments?
> This general muster? and this throng of
> chiefs?"

The circular dispatch of his majesty's government contained the following passage:—"With respect to the particular case of Naples, the British government, at the very earliest moment, did not hesitate to express their strong disapprobation of the mode and circumstances, under which that revolution was understood to have been effected." On that passage the noble earl said, that his majesty's government were at perfect liberty, and indeed were bound to express their disapprobation of the mode and circumstances under which the Neapolitan revolution was understood to have been effected. Yes. But if they had been lovers of peace and friends of neutrality, to whom would they have expressed that disapprobation? Would they not have expressed it to the persons by whom the acts which they disapproved had been committed? Would they not, as in his opinion had been done with great wisdom in Spain, have recommended those persons to modify their proceedings? But no; instead of that, his majesty's government go to the individuals who are anxiously seeking for a pretext and an apology for an aggression on Naples, and say to them "We are highly displeased with the mode and circumstances of the Neapolitan revolution." They refuse to receive any explanation of their "understanding" from Naples. But although they refuse that, still, in order to evince their impartiality, they run with breathless haste to the neighbouring states most likely and most desirous to take offence, to tell them how highly *they* are offended. And that the noble lord called acting with impartiality! He would put a case to their lordships to show more distinctly the nature of this impartiality. Suppose (said his lordship), that I have two friends—one a little weak timid man, and the other a great raw-boned blustering fellow. Suppose also, that the little fellow by some means or other offends the great one. Well I go to my great tall strapping friend and say to him—"That's a strange meddling little fellow; I don't like him—I totally disapprove of his conduct." I leave his house and go to my own. I order my porter never to admit the little fellow, and, though I pass by his house every day, I never call upon him, so that I give him no opportunity of entering into explanation with me about his conduct. I then say to myself —"How impartial I am!" and am quite vexed if any body doubts it. In a few days afterwards I walk along the streets, and see the huge fellow trampling the little fellow under his feet, and belabouring his sides most unmercifully; I pass on and don't interfere, except to make a speech, and to tell all my acquaintance that my little friend has behaved very ill, and that I don't approve his conduct. Should I after that be entitled to the character of an impartial man?—After contrasting the impartiality of a man acting in this manner, with the alleged impartiality of the British government towards the people of Naples, lord Holland proceeded to ask why the secretary for foreign affairs had, in the circular to which his name was affixed, entered into discussion with the emperor of Austria? That grave emperor, it was well known, hated discussion; he had lately told the world so. But he likewise hated learning and learned men. The circular, therefore, notwithstanding its other faults, might please the imperial palate; for certainly it was better calculated than any document which had ever preceded it to captivate an individual who was not to be captivated by beauty of style or clearness of composition. What occasion, however, was there for him to interfere at all, and to state his disapprobation of such and such principles of action unless they were in pursuit of some common object? What that object was, it was not for him at present to declare, and he should therefore leave the circular for awhile and advert to what had fallen from the noble earl opposite. The noble earl had said, that though there might be cases in which he should not disapprove of an army taking a part in the accomplishment of a revolution, he could never approve of one which originated with, and was entirely effected by, a military body. He would not enter into a discussion of that principle at present, but would content himself with saying, that he hoped the recent events in Spain, Portugal, and Naples, where such glorious deeds had been achieved by the soldiery, would act as a warning to the great despots of the earth, or if they did not act as a warning to them, would act as an example to their subjects—teaching the former that it is better to rest their force upon the affections of their people than upon the bayonets of their soldiers; and the latter, that the power of tyranny, however formidable in the outset, cannot long resist the united attacks of liberty and knowledge. In making this declaration, he was indulging a feeling that was common to all who had the love of liberty at heart, though the noble earl had the boldness to assert that it had never been the feeling of the people of England. The noble earl had alluded to Magna Charta; the means by which that was established did not add any strength to his arguments; he might talk indeed of statements of grievances, but he would tell him that king John might have said, like king Ferdinand, and many other monarchs who had sworn to constitutions, that he was forced to perform the act against his will, and therefore the oath was not obligatory; but, though king John might offer that plea, the nation decreed that the oath should stand, and Magna Charta become the unalterable law of the realm. So that the argument of the noble earl on that point was particularly unfortunate. The noble earl had then turned away to the affairs of Sicily, and really a more extraordinary speech than that which he had made upon them he had never heard. The noble earl had stated that there was—no, that there might be—a cause to justify what had occurred there. Allowing the facts to be as the noble earl had described them—and he would not then stop to examine whether they were so or not—it was a great imputation on the government of Naples. But, considering the doubts which at present hung over the subject, surely it was not too much to ask for further information with regard to Sicily. The proclamation issued, or at least the copies of a proclamation issued, under British authority, and addressed to the Sicilian people, might or might not be a spurious production, but it had been widely circulated, and in general belief it was an authentic document. What, in fact, was the situation of the present king of Naples at the period of his restoration? It was that of a prince of the house of Bourbon coming with a defined and written constitution in his hand, and taking occupation of his throne upon the clear promise and understood pledge, that he would adhere to that constitution. What induced the people of Naples again to accept him? Why, it was, in the first place, that their former prince swore to maintain the constitution which was offered to him. To that he gave his solemn sanction; it was from that sanction that he derived an advantage; it was in concert with the British government that he so lent his sanction! Why had the British government since adopted a different course? Upon what imaginable views was it that its foreign policy was thus changed? What had occurred to induce the noble earl to disappoint the people of Naples of those blessings that belong to a constitutional government, and to an accountable administration of public affairs, which that noble earl had so largely promised (and he had partially performed his promise) to the islanders of Sicily? He must also state, that the noble earl's allusion to what had passed in Sicily, to those transactions in which he had borne so conspicuous a share, were (he regretted to be obliged to make the observation) not merely unsatisfactory, but strange as proceeding from the mouth of an Englishman. The noble earl had talked of an armistice, and of a reasonable capitulation; but he would ask the noble earl whether he found any similarity between the circumstances on which he founded his judgment in this instance, and those under which the British government had made itself instrumental in restoring Louis 18th? Without travelling, however, into that question, he would say decidedly, that there was ground of suspicion, and that, judging from the first aspect of affairs, it was just and natural to conclude that the government of this country had, if not co-operated with, connived at the present unwarrantable attack upon the independence of the Neapolitan people.—The noble earl had adverted to the principles and influence of the sect called Carbonari in Italy; and of that sect, or of its influence and numbers, he himself did not profess to know a great deal. But the noble earl went on to infer the existence of many secret societies whose object might be inconsistent with the established order of the political system in Europe. He knew not what the principles of this sect were, and in this state of ignorance he could not either approve or condemn them; but it was manifest that, before active hostilities, it was incumbent on the allied powers to use or to try the means of remonstrance and persuasion. These means had not been used; and whatever incidental circumstances might belong to the change that had taken place, the powers now arrayed against Naples were evident violators of public law. The noble earl had, however, introduced the late example of Spain; and with regard to that subject he should only say, that he had received a different account of the circumstances relative to that event. The cause of the Spanish revolution was not, he had reason to believe, exactly what the noble earl had described it to have been. But, could the noble earl derive light from no other sources? Had he heard of no other revolutions? Did history contain no mention of secret societies in other nations and of secret societies producing ultimately great and glorious advantages to the country in which they existed? According to the noble earl, the change or revolution in the Neapolitan government was brought about by the Carbonari, or a sect which had no known or distinct character. Had noble lords forgotten, then, that the Protestant religion was first disseminated by means of secret societies? How was it that all human improvement sprung up? The establishment of the Protestant faith, the authority given to the doctrines of our national church, all had their origin in those secret and confidential associations, the very name of which appeared to fill the noble earl with so much horror. Such societies had existed in every free country; and why should they form the subject of so grievous a complaint against Naples? Was there, indeed, a man in England so dead to a sense of liberty, so blind to every substantial interest of his country, as not to see that the principles of the new constitution of Naples were intrinsically similar to our own? That they were open to animadversion he did not deny: they were new, and had no sanction from experience but they still contained the valuable gem, they still promised to ripen and flourish into unalloyed utility. Such as it was, the constitution already appeared to be more congenial to the habits, character, and wishes of the people than any form of government to which they had previously been subjected. It was a constitution already productive of infinitely greater advantages than could perhaps have been rationally anticipated. True it might be, as the noble earl had asserted, that the authors of the Neapolitan revolution were not persons of great political knowledge; that they were not deep philosophers in matters of state. He would here remind the noble earl, however, of arguments used by that noble earl himself, on a former occasion, and used with prevailing force, in his description of the changes which had taken place in the Peninsula. There was the instance of a people of the same religion, and possessing similar characteristics with the people of Naples. If the Neapolitan constitution was bad, so was the Spanish constitution, in its progress and at its commencement. We interfered, however, upon different principles from those on which we had before interfered with the revolutionary government of France. We interfered upon grounds of national independence and public freedom; and we proclaimed aloud against the usurpation of Buonaparte the sound and legitimate principle on which every government ought to rest. It was not to be borne that the people of Europe, who had been induced to make efforts so great, and to tolerate privations so extraordinary, in order to re-establish a pacific system, should submit to the dictates of a tyrannical confederacy. If the freedom of political constitutions was to be objected to, surely the objections came but ungracefully from the reigning emperor of Russia, from a prince who ascended a throne still reeking with the blood of his father. [Hear, hear.] A prince on whom the crown of his dominions had devolved by an act of assassination was not to be regarded as an oracle of morality; nor unless men were utterly degraded and brutalized, would they consent to take their notions of public morality from such a quarter? Yet we found that the league against Naples was justified by references to the interests of morality and of religion. The emperor of Russia, that member of the holy league—

The Earl of *Harrowby* said, he felt himself under the necessity of speaking to order. The language used by the noble baron in allusion to a foreign potentate, with whom this country was now maintaining relations of amity, appeared to him to be both unparliamentary and indecorous. Even during a period of war it would be improper so to speak of any sovereign with whom we might be engaged in hostilities; but thus to characterize the head of a friendly government was an obvious departure from the orders of that House, and the decency of its proceedings.

Lord *Holland* resumed.—He admitted that it would be a gross indecency in any member of that House to allude distinctly to any subject of royal guilt, without sufficient knowledge of the actual circumstances attending it. But, where the object was, to keep down the public voice, to stifle the expression of popular feeling, it would indeed be a bad omen of what was to take place hereafter, a sad specimen of what was likely to result from the combination of great powers, if a peer of parliament was to be restrained in his allusions to the conduct and character of foreign potentates. If the British government should ever be permitted by direct aid, or by connivance, to crush the liberties of an independent state, then, no doubt, it would become an order of the House that no such allusions should be made. As the liberty and privileges of parliament however still remained, he would renew his statement, that the present emperor of Russia owed his crown to the murder of his father, or in other words that the crown devolved upon him in consequence of that murder. It brought to his recollection also, that since the time of the czar Peter 1st, no sovereign had ascended the throne of Russia altogether unstained with the blood of his immediate predecessor, or some member of his own family. It was not therefore from this quarter, as he had already said, that Europe ought to receive lessons of morality. Even though it should be contrary to the orders of the House, it might perhaps be excusable, because it was natural in an Englishman to express indignation at occurences of this kind. But these were not all the grounds of suspicion that existed with regard to the policy adopted by his majesty's ministers towards Naples. He recollected that similar complaints as to the existence of secret societies formed one of the chief pretexts for that bloody, expensive, and calamitous war, the effects of which we were now experiencing. Naples certainly was not so important a power in the European system as France, and some persons might imagine that an outrage on its independence was therefore comparatively unimportant. But the invasion of Naples originated in the same spirit; it was the offspring of the same policy, which led to the combination against France. It was, if he might so speak, a cub of the same litter; it bore about it all the marks of its lineage and extraction:

> "Sic canibus catulos similes; sic matribus hædos."

Let what might take place under such circumstances, the British people would, thank God, still express their sentiments; nor would their attention be withdrawn or confused by any of the productions of the Foreign department. The noble earl had distinctly stated, that it never was in the contemplation of his majesty's government to go to war with Naples; and, for his own part, he felt perfectly assured that such was not their intention. The best illustration of their views was undoubtedly to be drawn from their recorded statements and doctrines; but he was willing to give implicit credit to this declaration of the noble earl. What their lordships had to consider at present was, the question, whether the British government had openly avowed to the world, or clearly intimated to the king of Naples, the principles on which it was determined to act? Had the British government or had it not, made known to Europe in time for any useful or practical purpose, that it would lend no countenance or sanction to the enterprise of the Northern powers? Might not an earlier declaration of the views of England have had some influence with other states? That it was a supposed countenance on our part which encouraged the confederacy, was, he thought as evident as it could be made in the jargon or unintelligible stuff that had issued from the Foreign office on this subject. The more he attempted to analyse those documents, the more rigid and chymical the means by which he carried on that analysis, the stronger was his conviction that the British government had acted in a way which favoured the aggression upon Naples. The confederated kings alluded to their subsisting alliance with this country, in proclamations which boasted of their moral and physical strength, but which indicated that their reliance was upon the last alone.—The noble earl had rested the defence of his government on principles of foreign policy, very unlike those on which he had formerly called upon parliament to approve and to continue the war in Spain. On that occasion the noble earl had most truly stated the nature and limits of those causes that might rightfully lead to foreign interference with the domestic concerns of an independent people. The noble earl had then clearly shown how far it might become the interest of this country to enter deeply into those concerns. But, whatever might now be said by the noble earl or his colleagues, he feared that it was too late to apply a remedy. The die was cast, and, far as it was from his intention to undervalue the force of a British army, he must still say, that the real strength of England lay in its influence and authority—in its money and its character. This had been the case since the reign of Henry 8th and yet more emphatically since the reign of Elizabeth. It was then that the genius and spirit of modern civilization were most advantageously displayed, and that principles were established which might serve as landmarks for succeeding ages. Queen Elizabeth, with a sagacity that seemed constitutional in her, and which, with various blemishes and defects of character, still made her the greatest woman that ever mingled with political affairs, acquired a mighty influence on the continent without any trespass on national independence. She became the rallying point of the Protestant religion in Europe; and to her wise and magnanimous policy was it indebted for its early protection and support. Without dwelling on the faults of a succeeding race of princes, he should say, that many public misfortunes had arisen out of their departure from the same course. Upon prudential motives, as well as on grounds of public right and of general policy, he would call upon the noble earl to consider the probable effects of that course in which he was engaged, as regarded Naples. He had often heard him, in the instance of Spain, insist on the energy belonging to popular sentiment, and on the force which always accompanied the efforts of a free people. He had heard the noble earl maintain, not only that the war was popular in Spain, but that its success was owing to its popularity. This was an argument and a most powerful one for repelling the atrocious usurpation of Buonaparte. That usurpation was one of the most unjustifiable aggressions ever committed; it had been deservedly condemned; and most readily did he join in the verdict of condemnation, passed as it was upon one whom he must still regard as a great man and to whom in his adversity he was the more willing to pay the tribute due to his talents and virtues. But the noble earl himself had said, that from the period of the occupation of Spain, the French power began to lose its stability. In this opinion he fully agreed with the noble earl. By the violent usurpation of the Spanish throne the ruler of France destroyed himself—*eo ictu sese confecit*—from that moment general opinion became arrayed against the French government, and that general opinion was the cause of the ultimate success of the allied armies. But if general opinion had such an effect during war, did the noble earl think that it ought to have no effect during peace? The noble earl was too much of a statesman not to know that wars must again occur. When a war occurred we could place no dependence but on the justice of our conduct, our magnanimity, and our fairness of proceeding towards the rest of Europe. We had had an opportunity, by a seasonable and strong remonstrance, to place ourselves at the head of the popular opinion. The Carbonari, who were now regarded as so dangerous, had taken their origin in secret societies in Germany, instituted for the double purpose of shaking off the yoke of France, and the powers allied with France, and of establishing freedom on a better foundation than before. They had been encouraged for that purpose in almost every part of Europe; and he believed they had been encouraged for that purpose in Italy. Every state in Europe, while thus struggling against France, promised a free constitution to its people. He must do Austria the justice to say, that she had violated no promise of this kind, for she had given no promise of liberty to her subjects. But, with the exception of Austria, all the states of Europe, even Russia, had promised free constitutions to their subjects, and all violated their promises. The people of Spain, whose liberties grew and prospered under our eye, were violently deprived of the freedom for which they had fought. He had been told by the noble earl that the liberties of Spain had been subverted. He believed that our government had remonstrated; but we had taken care not to let the poor sufferers under oppression and tyranny imagine that we took too much interest in their situation and struggles. Constitutions had been promised, and those to whom they had been promised suspected that the English government afforded the great cause why the promised constitutions were not established; and certainly they were quoted by those princes who refused to redeem their pledges as completely disapproving of them.—One word more and he should have done. It had been said that the example of Naples might be dangerous to neighbouring despotisms. Mere vicinity was, he believed, the *ratio suasoria* of the interference; whatever *ratio justificatoria* might be assumed or pretended. He would not give five years' purchase for the stability of a despotism in any territory near the place where freedom was fairly established. He agreed with the noble earl that there was danger, and he rejoiced exceedingly that there was danger to a despotic government, from the mere vicinity of freedom. But the mode of meeting the danger was, not by attacking the free government, but by improving their own. What more monstrous proposition could be stated, than that, because our own government was bad, we must protect it by attacking a neighbouring good government; because our state was founded in rottenness, we must attack a neighbouring state whose foundation was pure; because our habitation was founded on stubble, we must prohibit a neighbour within the enclosure of a strong wall to light his pipe, for fear of our straw-built fabric! Was any thing so contrary to reason, to justice, to good feeling, ever stated among men? He was sure, and he wished the truth could be conveyed to the ears of the monarchs who were allied against national liberty; he was sure, whatever differences might exist on questions of policy and measures of state, there was not a man within the walls of that House who could lay his hand on his heart and say that the motive of the Austrians was not this monstrous desire of preserving its own rottenness by destroying the purity of a neighbouring state. [Hear, hear.] If he had been disorderly, he could only say, that he felt indignant at the aggression and arrogance of bad governments against states that set a salutary example of political improvement; and that he entertained great suspicion of the spirit and policy of our own government on such a momentous occasion. He should give his hearty vote for the motion. If any man believed that our government had sincerely exerted all its power and influence to prevent any interference with Naples, he was justified in voting against the motion; but he entertained a strong suspicion that ministers had not had the desire, or the judgment, or the confidence, to act as they were bound to have acted, and that for that reason they durst not lay full information before the House. He concluded by expressing his ardent hope, that those who attempted to stop the tide of freedom and improvement, which had set in so strongly and so auspiciously, would themselves be overwhelmed in the torrent, and that the spirit which manifested so many auspicious indications of its soundness and strength, would fully accomplish its object, by renovating corrupted states, and establishing the liberty and security of nations.

Lord *Ellenborough* observed, that if he could agree with the noble baron who last addressed them in the interpretation he had given of the circular of the British government—if he could believe that the neutrality they professed was a hollow and insincere neutrality—if he could suppose that they were inclined to uphold the one party by the sacrifice of the less powerful—he should be disposed to speak of such conduct in terms as indignant as those used by the noble baron. But, taking into his consideration the statements which had been made by the noble earl, and looking at what appeared to have been the conduct of the government, he could not avoid coming to a conclusion very different from that come to by the noble baron; he could not but be of opinion, that the course that had been pursued was that which was most conformable to sound policy, under the present difficult circumstances of Europe. The noble baron had complained that ministers had expressed strong disapprobation of the mode and circumstances by which the revolution in Naples had been brought about. Now, he thought, not only that ministers were justified in expressing disapprobation of those circumstances, but that the expression of that disapprobation might produce beneficial consequences even to the parties against whose proceedings it was directed. He regretted that the noble earl who brought forward the motion, had that night given the great, and justly great authority of his name, in favour of a revolution brought about by the military. It was for the interest of mankind that such revolutions should be opposed; as they were more frequently effected for the purpose of destroying, than for that of establishing the liberties of the people. They ought therefore, to be discountenanced, as there was no security for the continuance of a state of things founded on the will of the soldiery; seeing that those that made a constitution one day, might destroy it on another, and that their feelings were generally different from those of the great body of their fellow subjects. It was therefore common, in the course of a short period, to find those who were considered the saviours of their country, regarded as its destroyers—to find the establishers of a constitution its subverters—and to find those who had commenced by limiting the kingly prerogative, engaged, after a time, in extending the powers of the sovereign, with a view to the accomplishment of some object of their own. These considerations led him to think that government had done no more than its duty in protesting against the proceedings in Naples. The revolution there had been brought about under circumstances which were not calculated to promote the happiness of the people. It was effected against a government, against which no charge had been brought for some years. He did not defend the principle of the old government; no man could be less disposed to do so than himself (for he had seen it in action); but, for years, all the regard that could be shown for a people, under a government so constituted, had been manifested. There were several features in the case which deserved particular observation. He would ask, if there was nothing extraordinary in the coincidence seen in the breaking out of the revolution, and the return was at that period of the heir apparent who is now placed at the head of the government. Looking at that return, and what had since occurred, was it not fair to conclude that the object of the revolutionists was, to overthrow the sovereign, and place the next heir to the crown on the throne? Under such circumstances, he thought the protest of the English government likely to be productive of beneficial consequences to the government of Naples. It would tend to make them feel the necessity of adopting a moderate line of conduct towards foreign governments and towards persons who might be obnoxious to them; and, in fine, of acting so as to convince those who were dissatisfied with the means by which the revolution had been effected, that, however impure the source from which their power sprung, it was their determination not to use it unworthily. The noble earl had complained of the appearance of an English fleet in the Bay of Naples. When he considered the circumstances of the revolution, he thought the noble earl must feel that the presence of an English fleet was necessary for the protection of British interests. The noble lord who spoke last, complained of the British government not having expressed its disapprobation of the aggression of the allies. Now, in his opinion, that disapprobation was expressed in the circular of the secretary of state addressed to the allies. He went along with the noble mover, in expressing his abhorrence of the principle on which the allied sovereigns acted. He considered the successful progress of such a principle as destructive to liberty throughout the world. For what more detestable ground of policy could be supposed than this, that the happiness of the governed was as nothing when weighed against the interest, the pleasure, or the apprehensions of the party governing? He must repeat, that the circular of our government had disarmed that principle of half its power in the onset. What had been done precluded Austria from seeking its own aggrandisement in its war against Naples. If the march of the Austrian troops could be justified on any principle, it was this, that the government of Naples had fallen into the hands of a particular sect, whose success would be incompatible with the safety of all governments. The proceedings of the Austrians ought to be limited by the original necessity of the case. They ought only to require security, that the government of Naples should not be lodged in the hands of that sect. Having gained that object, their triumph ought to be regarded as complete. He was of opinion, that England had but one of two courses to pursue. The first was that of a silent neutrality—the other that of war. The intermediate line recommended by the noble baron, he was of opinion could not be adopted with advantage. The noble baron might compose a beautiful, moral lecture—he might produce a fine form of words, a perfect and elaborate composition; but this, however excellent, would be useless. If it were not written with the sword, it would produce no effect. No man regretted more than he did, the pressure of distress now experienced in this country—no man regretted more than he did, the advantages taken of those distresses—but when they were told that all these distresses sprung from the errors of governments, in which the people had no concern—when they were told that all their hopes must depend upon the continuance of peace—was it to be supposed that foreign powers were ignorant of these things, or ignorant of the temper of the people, or of the temper of parliament? These things must be known; and when it was seen that our force was diminished from motives of economy, it was not to be expected that we should possess all the influence which belonged to us while our army was entire, and not a shot in Europe could be fired without our permission. To him, then, it appeared, that unless the noble earl and the noble baron were prepared to propose that we should depart from the line which we had taken, which appeared to him to be that of strict neutrality, they ought not to wish it deviated from at all. To put forth a remonstrance, and not to enforce it by the sword, would be but to expose our impaired fortunes, and our broken spirit. It was his most anxious wish to avoid this, to place the parliament in harmony with the people, and to revive that mutual confidence which ought to subsist between the government and the governed, and which constituted the real strength of a nation. Without that it would be in vain to read a moral lecture to the governments of the continent, and the effect of doing so would only be, to lower the character of the country and expose its weakness to the world. He hoped the noble earl would, on reflection, be disposed to withdraw his motion.

Lord *Calthorpe* thought the language of the circular any thing but satisfactory.

He complained of it, both for what it implied and what it expressed. The sacrifices made by this country to obtain the objects of the war, loaded as we were at its close with the fruits of war, ought to have procured for us a guarantee for the enjoyment of the blessings of peace. The disavowal of the principles put forth by the allies, which appeared in the circular, proved that sufficient care had not been taken in the negotiation to accomplish that object. The conduct of Austria was, in his opinion, such as would justify interference on the part of this country to induce her to refrain from pursuing her present line of policy.

Earl *Grey* said, he entirely agreed with those who maintained that it was the object, as it was the policy, of this country to preserve a strict neutrality; but he did think that the noble earl opposite had not succeeded in making it appear that any thing like strict neutrality had been maintained. He was of opinion that no such disposition had been manifested by government in her communications with the two nations principally concerned. Had there, in truth, in any single transaction that could be named, been any thing like an equal measure preserved between those two countries? The noble earl declared, that not disputing but that the case of Naples might form an exception to that general conduct against which the allied powers were in declared hostility, all he would say was, that he would not prejudge the question; but, although the noble earl thus deprecated every thing like prejudication, his line of argument was most inconsistent with that declaration. He had promulgated a disclaimer of certain acts on the part of a foreign government, which had taken upon itself to express a disapprobation of the conduct pursued by the kingdom of Naples: and yet he now maintained, that that foreign state was justified in the manifestation of her disapprobation. As to that interference on the part of the allied sovereigns, it was one of the most flagrant acts of political injustice, one of the most enormous violations of the law of nations, that ever was committed; and the tardy disavowal of this government was made at a time when its very disapprobation of these measures could have no other effect but the encouraging the perpetrators of that violation. And this, the noble earl told them, was a strict neutrality! But when noble lords contrasted the general measures of this government, in its free and open communications with Austria, and its recent dealings with Naples, could such conduct be construed to intend a fair and strict neutrality? He had said, that the usual intercourse between this country and Naples had ceased; and the noble earl opposite immediately expressed his disapprobation of that statement. The noble earl told their lordships, that new powers were necessary to be exhibited upon the change of the government. It was important to ascertain what the noble earl meant, and therefore he wished to ask whether sir W. A'Court still remained at Naples our accredited minister;—whether he was still there vested with the full powers of his original appointment, as envoy of the Neapolitan government? But this was not all:—not only must they have an accredited agent at Naples, but the government of Naples must have one here. Now, the noble earl had said, that count Ludolph was that accredited agent at our court. Why, was it not notorious, that after the events which had changed the face of the government of Naples, count Ludolph was recalled, and the prince Cimitelli substituted in his place, as ambassador to this country? Was it not equally notorious, that prince Cimitelli was refused to be admitted to the accustomed audience, and all communication with him evaded by our government. He should like to hear from the noble earl, under what powers count Ludolph now acted to the rejection of prince Cimitelli, or whether the count Ludolph had received any new credentials? The rejection of prince Cimitelli was a direct breach of this boasted neutrality; it was such an insult to the character and independence of a nation, that only a weak state would endure. If any thing bearing the character of neutrality was contemplated by the British government, when it had an ambassador attending the conferences at Troppau, it would have deemed it essential that its accredited minister should continue without interruption to represent its interests at Naples. Under such circumstances, the British government, in the spirit of amicable representation, might have expressed its disapprobation of the proceedings at Naples as injurious to its own interests, and dangerous to the security of Europe.—The noble earl had laid considerable stress on the conduct of the Neapolitan government, in reference to Sicily. He (earl Grey) was far from justifying either the principle of the measures pursued towards that member of the Neapolitan dominions, or of palliating the breach of that stipulation to which the noble earl alluded. Yet he must confess that he should have liked to have seen the representation to be made on that subject to the court of Naples by a British minister: he should like to have seen the protestation of the secretary of state against the forcible union of one country with another, against the prayers, the wishes, and the interest of that country. It would, indeed, be a curious and extraordinary document to see a state paper, signed " Castlereagh," remonstrating against a forced incorporating union between two divisions of the Neapolitan kingdom, on the grounds that it was effected against the wishes and the voice of the weaker, by the power and the military strength of the stronger [Hear, hear!]. Allowing that Sicily had been oppressed by Naples, the utmost power that could accrue to the allied sovereigns was, the right to remonstrate. But these sovereigns used no such pretext—they founded their aggression on different grounds. It was a dislike to the principles of the revolution, and *eo nomine*, they declared it dangerous to the other powers. The noble earl spoke of the secret sects and of the conduct of the army, but he (earl Grey) contended that neither constituted a good ground of interference. The noble earl laboured much on that point, and endeavoured to make out possible cases. He contended that the co-operation of the society of the Carbonari with the mal-contents in the other states of Europe justified an interference, which without that co-operation, would not be warranted. Some better proof of such co-operation, besides allegations, was essential. But even were it the fact, the utmost right that could accrue was, the power to remonstrate against the existence of such associations, and, if employed in administering the functions of the government, to protest against their continuance in such a capacity. It was not, however, to be presumed, that the co-operation of these sects with the discontented of other nations was encouraged by the government. Before an interference could be justified, much less aggression defended, that fact ought to have been substantiated by proof. The noble earl had said, that he did not wish to prejudge the case, but he should be glad to know when they were ever to judge of the expediency or the necessity of interference? When were we to judge of the necessity of applying those principles of national right and public law, which it was the duty and interest of this country to maintain, and which constituted the foundation upon which the true security of nations depends? The noble earl admitted that a case might arise to which it would be his duty to apply those principles: But when would he judge of it? Would he wait till after the Austrians had occupied Naples? Would he wait till after the violence had been committed, and the aggression had taken effect, and then sit in judgment on the case; and determine, when it was too late, whether this was a violation of national law and public right? Instead of saying that we ought not to prejudge the case, it was our duty to judge, in order to prevent that scandalous violation of public right and law, the existence of which even the noble earl was compelled to admit. There was one peculiarity in the noble earl's reasoning which deserved notice. He was ready enough, without proof and without deliberation, to prejudge the question between the king and his people: but in questions between nation and nation, when the great interests of right and justice were at stake, the impartiality of the noble earl became conspicuous; then the noble earl would not prejudge, but he would sit with his hands behind him till the act of aggression had been accomplished, and it was too late to remedy the evils which had been produced. Such were the disastrous measures—such the miserable policy—by which the honour and character of this country were degraded and disgraced.—With respect to that argument of the noble earl, by which he attempted to justify the altered tone of this government to Naples, in consequence of the change of the executive government in Naples, he begged to remind the noble earl, that it was not upon the occasion of the revolution of Naples that the substitution of the vicar-general, as representative of the king, took place. If he was not much mistaken, that substitution was first effected under our auspices, for the purpose of carrying into execution the constitution which had been granted to Sicily by lord William Bentinck. The king objected to that constitution; he refused to take the oaths, and it was upon that occasion that we gave our sanction to the vicar-general being placed at the head of the executive government, as the representative of his father. The noble baron (Ellenborough) had said, that when a nation thought fit to remonstrate in behalf of another country, against any measures which were meditated by a third party, that nation should be ready to enforce its remonstrance by arms. Upon these principles it could not be denied, that this was the most favourable moment for remonstrance by those who, like the noble earl opposite, told us, that the country never stood in so proud a situation: who daily repeated, as a proof of their policy and wisdom, that the authority of this country was never greater, or its influence in the affairs of Europe more universally acknowledged. When, however, the noble baron objected to the propriety of remonstrance, even in a case in which justice and interest demanded it, because our voice would be disregarded, and the weakness of the country exposed, did he not, in fact, bear the strongest testimony to that lamentable system of policy by which the resources of this country had been so impaired, and its energies so exhausted, and its character so degraded in the eyes of foreign nations, that it was no longer able to vindicate its interests, and enforce its just remonstrances? But, let the noble baron look to the other side of the alternative, and consider how far a silent acquiescence in the measures now carried on by the allied powers, for the sake of avoiding hostilities, is calculated to secure us against a war. Since the commencement of this debate, information of an authentic character had reached him, which announced that the Austrian army was actually advancing in three divisions, from three different routes upon Naples, and that the king of Naples had issued a proclamation from Laybach dissolving the parliament, and recommending his subjects to receive the Austrians as friends. How far this was to be considered as a free, spontaneous emanation of the will of that monarch, he would not determine; but it was now certain that the die was cast, and that Naples would in all probability be shortly occupied by Austria. He would ask the noble baron, whether looking to the character of [the House of Austria, and the general situation and interests of Europe, the occupation of Naples by Austria was not likely to lead to consequences which, sooner or later, would involve Europe in a war? He would ask the noble baron what we should then have gained by that acquiescence, which, for the sake of avoiding war, he now recommended? What, but the degradation and dishonour of having submitted to measures from a pusillanimous fear of consequences, which were rendered more certain and more ruinous by the very means we took, and the very sacrifices we made, in order to avoid them? Surely, considering the amicable relations in which we stood with Naples, we might have remonstrated against any attempt to put down the people of that country by force, and still have retained the friendship of the alliance. What was the conduct of this country with regard to Spain, and what were the consequences of that conduct? The noble earl opposite would recollect, that upon his noble friend (lord Holland) requesting some information as to a memorial of the court of Petersburgh with reference to the revolution in Spain, the noble earl stated that a remonstrance had been made by this government against that memorial. No further motion was made in that House, and, what was more to the purpose, no measures had been taken by the allied powers against Spain, nor had the remonstrance against that memorial been attended with any consequences prejudicial to this country. He supposed he should be called to order, as his noble friend had been, if he expressed any opinion upon the absurdity of refusing to recognize the government of Spain, or any other country in which an iniquitous attempt to impose upon them an arbitrary government, had been successfully resisted by the co-operation of the soldiery with the people. He thought his noble friend was perfectly justified in the line of argument which he had taken. We might just as well refuse to recognize the revolution which had placed the present emperor of Russia upon the throne; for it could not be denied that he ascended the throne in consequence of the murder of his sovereign, his father, though he trusted the present emperor had no share in it. If we objected to a revolution because it had been produced by a mutinous soldiery, surely we were equally bound to object to a revolution which had been effected by a foul and atrocious murder, and we might say to the emperor of the Russias—"Though we are not disposed to dispute to Sicily. He (earl Grey) was far from justifying either the principle of the measures pursued towards that member of the Neapolitan dominions, or of palliating the breach of that stipulation to which the noble earl alluded. Yet he must confess that he should have liked to have seen the representation to be made on that subject to the court of Naples by a British minister: he should like to have seen the protestation of the secretary of state against the forcible union of one country with another, against the prayers, the wishes, and the interest of that country. It would, indeed, be a curious and extraordinary document to see a state paper, signed "Castlereagh," remonstrating against a forced incorporating union between two divisions of the Neapolitan kingdom, on the grounds that it was effected against the wishes and the voice of the weaker, by the power and the military strength of the stronger [Hear, hear!]. Allowing that Sicily had been oppressed by Naples, the utmost power that could accrue to the allied sovereigns was, the right to remonstrate. But these sovereigns used no such pretext—they founded their aggression on different grounds. It was a dislike to the principles of the revolution, and *eo nomine*, they declared it dangerous to the other powers. The noble earl spoke of the secret sects and of the conduct of the army, but he (earl Grey) contended that neither constituted a good ground of interference. The noble earl laboured much on that point, and endeavoured to make out possible cases. He contended that the co-operation of the society of the Carbonari with the mal-contents in the other states of Europe justified an interference, which without that co-operation, would not be warranted. Some better proof of such co-operation, besides allegations, was essential. But even were it the fact, the utmost right that could accrue was, the power to remonstrate against the existence of such associations, and, if employed in administering the functions of the government, to protest against their continuance in such a capacity. It was not, however, to be presumed, that the co-operation of these sects with the discontented of other nations was encouraged by the government. Before an interference could be justified, much less aggression defended, that fact ought to have been substantiated by proof. The noble earl had said, that he did not wish to prejudge the case, but he should be glad to know when they were ever to judge of the expediency or the necessity of interference? When were we to judge of the necessity of applying those principles of national right and public law, which it was the duty and interest of this country to maintain, and which constituted the foundation upon which the true security of nations depends? The noble earl admitted that a case might arise to which it would be his duty to apply those principles: But when would he judge of it? Would he wait till after the Austrians had occupied Naples? Would he wait till after the violence had been committed, and the aggression had taken effect, and then sit in judgment on the case; and determine, when it was too late, whether this was a violation of national law and public right? Instead of saying that we ought not to prejudge the case, it was our duty to judge, in order to prevent that scandalous violation of public right and law, the existence of which even the noble earl was compelled to admit. There was one peculiarity in the noble earl's reasoning which deserved notice. He was ready enough, without proof and without deliberation, to prejudge the question between the king and his people: but in questions between nation and nation, when the great interests of right and justice were at stake, the impartiality of the noble earl became conspicuous; then the noble earl would not prejudge, but he would sit with his hands behind him till the act of aggression had been accomplished, and it was too late to remedy the evils which had been produced. Such were the disastrous measures—such the miserable policy—by which the honour and character of this country were degraded and disgraced.—With respect to that argument of the noble earl, by which he attempted to justify the altered tone of this government to Naples, in consequence of the change of the executive government in Naples, he begged to remind the noble earl, that it was not upon the occasion of the revolution of Naples that the substitution of the vicar-general, as representative of the king, took place. If he was not much mistaken, that substitution was first effected under our auspices, for the purpose of carrying into execution the constitution which had been granted to Sicily by lord William Bentinck. The king objected to that constitution; he refused to take the oaths, and it was upon that occasion that we gave our sanction to the vicar-general being placed at the head of the executive government, as the representative of his father. The noble baron (Ellenborough) had said, that when a nation thought fit to remonstrate in behalf of another country, against any measures which were meditated by a third party, that nation should be ready to enforce its remonstrance by arms. Upon these principles it could not be denied, that this was the most favourable moment for remonstrance by those who, like the noble earl opposite, told us, that the country never stood in so proud a situation: who daily repeated, as a proof of their policy and wisdom, that the authority of this country was never greater, or its influence in the affairs of Europe more universally acknowledged. When, however, the noble baron objected to the propriety of remonstrance, even in a case in which justice and interest demanded it, because our voice would be disregarded, and the weakness of the country exposed, did he not, in fact, bear the strongest testimony to that lamentable system of policy by which the resources of this country had been so impaired, and its energies so exhausted, and its character so degraded in the eyes of foreign nations, that it was no longer able to vindicate its interests, and enforce its just remonstrances? But, let the noble baron look to the other side of the alternative, and consider how far a silent acquiescence in the measures now carried on by the allied powers, for the sake of avoiding hostilities, is calculated to secure us against a war. Since the commencement of this debate, information of an authentic character had reached him, which announced that the Austrian army was actually advancing in three divisions, from three different routes upon Naples, and that the king of Naples had issued a proclamation from Laybach dissolving the parliament, and recommending his subjects to receive the Austrians as friends. How far this was to be considered as a free, spontaneous emanation of the will of that monarch, he would not determine; but it was now certain that the die was cast, and that Naples would in all probability be shortly occupied by Austria. He would ask the noble baron, whether looking to the character of [the House of Austria, and the general situation and interests of Europe, the occupation of Naples by Austria was not likely to lead to consequences which, sooner or later, would involve Europe in a war? He would ask the noble baron what we should then have gained by that acquiescence, which, for the sake of avoiding war, he now recommended? What, but the degradation and dishonour of having submitted to measures from a pusillanimous fear of consequences, which were rendered more certain and more ruinous by the very means we took, and the very sacrifices we made, in order to avoid them? Surely, considering the amicable relations in which we stood with Naples, we might have remonstrated against any attempt to put down the people of that country by force, and still have retained the friendship of the alliance. What was the conduct of this country with regard to Spain, and what were the consequences of that conduct? The noble earl opposite would recollect, that upon his noble friend (lord Holland) requesting some information as to a memorial of the court of Petersburgh with reference to the revolution in Spain, the noble earl stated that a remonstrance had been made by this government against that memorial. No further motion was made in that House, and, what was more to the purpose, no measures had been taken by the allied powers against Spain, nor had the remonstrance against that memorial been attended with any consequences prejudicial to this country. He supposed he should be called to order, as his noble friend had been, if he expressed any opinion upon the absurdity of refusing to recognize the government of Spain, or any other country in which an iniquitous attempt to impose upon them an arbitrary government, had been successfully resisted by the co-operation of the soldiery with the people. He thought his noble friend was perfectly justified in the line of argument which he had taken. We might just as well refuse to recognize the revolution which had placed the present emperor of Russia upon the throne; for it could not be denied that he ascended the throne in consequence of the murder of his sovereign, his father, though he trusted the present emperor had no share in it. If we objected to a revolution because it had been produced by a mutinous soldiery, surely we were equally bound to object to a revolution which had been effected by a foul and atrocious murder, and we might say to the emperor of the Russias—"Though we are not disposed to dispute your right to the throne, yet we will hold no amicable intercourse with you until an expiatory sacrifice has been made for the crime which placed you on the throne by the punishment of its authors." If such were not our language, we should abstain from it only because we had one language for the weak and another for the strong—only because we were ready to denounce even the most justifiable resistance in the former, and to encourage the most tyrannical aggression in the latter. He certainly felt that the noble earl opposite had completely failed in attempting to justify a course of policy which was inconsistent with the interests, and degrading to the character of the country. He could not accede to the request made by the noble baron to withdraw this motion; and, as in the present temper of the House, and particularly after what had fallen from the noble earl, he saw no prospect of succeeding in the object of that motion, he would not trouble their lordships by pressing it to a division.

The question was put and negatived.

HOUSE OF COMMONS,

Monday, February 19.

Hull Poor Rates Bill.] Mr. *Sykes* said, that as much misconception prevailed on the subject of this bill, he would, in order to give time for the correction of that misconception, move, "That the bill be read a second time this day se'nnight."

Mr. *Huskisson* felt himself bound to oppose the motion. A number of persons interested in the measure were waiting in town, and it would be to them a great inconvenience to postpone the second reading. He had the strongest objections to the bill; though it was introduced as a private bill, it yet involved important public questions, and principles which were quite new: and which would go to affect the general property of the country. It was agreed on all hands that the poor rates were an evil which ought to be repressed. The poor rates were a cancer which spread throughout the country; and it was not for parliament to encourage the growth of an evil so monstrous. The object of the bill was to subject a species of property to poor rates, which heretofore stood independent of that tax: what was this but an attempt to extend the evil? The bill was an attempt to introduce a tax in the port of Hull, which did not exist before. The tax was a most objectionable one, because it would go to affect ships which might be lying idle, as well as those which were employed. If the principle which the bill meant to establish was to have any operation at all, it ought to have a general operation; but a principle more fraught with danger he could not well imagine. He would move as an amendment, "That the bill be read a second time that day six months."

Mr. *Sykes* said, that the principle of his bill was by no means new. Legislative measures, similar in principle, had been adopted in Sunderland. The same thing was done with respect to Scarborough, Whitby, and Poole.

Mr. *Frankland Lewis* felt himself bound to oppose the extension of the poor rates to the shipping, and he did so, because it was the acknowledged tendency of the poor laws to swallow up all the property in the kingdom, and therefore it was necessary, by every possible means, to guard against their extension to any species of property not hitherto within their reach. There was no danger so certain, so inevitable, unless some remedy were shortly hit upon, as that the poor laws would, by degrees, swallow up every species of property that was liable to its operation. Would they, then, admit the dangerous principle of extending their effects by a measure of a private nature, which professed to confine its operation to a particular place, but which would establish a precedent for similar measures in every other port in the kingdom. One great misfortune in the system of poor-rates was, that it wore the appearance of humanity, whilst it produced real hardship and severity. He felt convinced that the poor-rates caused, in a great measure, the extent of public misery, at the same time, he did not mean to throw out the wild notion that the system could be entirely got rid of. The subject was one to be touched with gentleness; and so it had always been treated. The principle of the poor rates was this, that every parish should support its poor as long as it had the means; but the present bill went to subject to a tax property which was not now rated. He must therefore oppose the Bill.

After some further conversation, Mr. Huskisson consented to withdraw his amendment, and the bill was ordered to be read a second time on the 27th instant.

HOUSE OF LORDS,

Tuesday, February 20.

QUEEN'S ANNUITY BILL.] The Earl of *Liverpool* moved the second reading of this bill, in doing which, he should abstain from entering into any detail on the subject. The sum of 50,000*l.* had been proposed, not with any reference to her majesty's case, but because it was the identical sum, which, as stipulated in her contract of marriage, she was to have if she survived his majesty. As therefore she would be entitled to that sum on the demise of the Crown, he thought that in her present situation she had, if not a legal, at least an equitable claim to it.

The Earl of *Darnley* said, that so far from wishing to oppose the measures of the noble lord on every occasion, he was very happy when he could, even in the slightest degree, concur with him. Under all the circumstances of the case, he thought the sum proposed that to which her majesty was fairly entitled. Having thus far stated his agreement with the noble lord, he must disclaim any approbation of the other measures of the noble lord in reference to the Queen. He could not agree that the House of Commons had wisely decided that there existed no grounds for censuring ministers. With that vote, however, before him, he could not help concluding, that any proposition which might be made, however aided by the talents of the noble lords near him, would be decided, not by the consideration of how far it was right or wrong in itself, but with reference to the supporting of ministers. Of the success of the motion of which he had given notice he had therefore much reason to despair; and, in addition to that consideration, he must freely confess that he had on this subject been guided by the opinion of individuals with whom he had long had the honour to act, and of others whose late conduct in preferring their duty to the public to their duty to ministers, had done themselves the greatest honour. He had reason to expect that, if he brought forward a motion for restoring the Queen's name to the Liturgy, he should be supported by many of the persons to whom he had alluded. At the same time, considering the discouraging circumstances he had stated, and the doubts which some entertained of its illegality, he was inclined to think that at present no good effect could be expected from the motion of which he had given notice; and he was, therefore, disposed to relinquish it. At the same time he must declare, that his opinion on the question of the Liturgy was not shaken; and that he thought that this was an occasion on which it was the duty of their lordships, as the constitutional advisers of the Crown, to recommend to his majesty the restoration of her majesty's name. Nothing would more tend to rivet to his majesty the affections of his people than such an act of grace and justice. Let it not be supposed that he was actuated by partiality in the course he had taken. When the illustrious person who was the object of the inquiry was formerly in this country, he had had very little intercourse with her; and since her return he had studiously avoided it, because he thought it right to keep his mind entirely free and unprejudiced. If, however, he wished to keep up a state of dissatisfaction, if he were disposed to perpetuate what had been called the undue influence of her majesty with the people, he would certainly advise ministers not to insert her name in the Liturgy. There were three great points of view under which this question presented itself; namely, the legality, the justice, and the expediency of the omission. He believed he might safely assert that the majority of legal opinions concurred in pronouncing the omission to be illegal. But he was willing to take it for granted that the exclusion was legal; and then came the question of justice. It appeared to him plain, that an exclusion, made on the presumption of guilt, must necessarily be unjust; for if this were not admitted, the principle on which justice was administered in this country must be totally different from what he had always believed it to be. But if it was unjust to inflict punishment on suspicion, how much more unjust was it to continue that punishment after the prosecution was given up? But, while he contended that her majesty was substantially acquitted, he was not bound to approve of every thing which might be done by her. He felt, that if she had abstained from certain publications, her claim might have been considered more irresistible even in that House, and that he at least should not have needed to wave the motion of which he had given notice. With regard to the question of expediency, he thought that was completely settled by the events which had taken place. He would leave it to the reverend bench to say, whether a measure could be expedient, which had proved so injurious to religion. Was it fitting that party feelings should be excited in a place devoted to public worship? Why should the Liturgy remain in that state which must remind every congregation, in the midst of their devotions, of the omission of her majesty's name? He was confident that great injury would be done to the establishment by the exclusion. If he were not greatly misinformed, the effect had already been considerable: he was assured that several reverend gentlemen had thought it necessary to exhort their congregations, in consequence of many pious Christians having made the omission of the Queen's name a ground for withdrawing from the church.

The *Lord Chancellor* said, that if he had any doubt as to the legality of not inserting the name of her majesty in the Liturgy, he would be the first to move an address to the King, to pray his majesty to restore it to the Liturgy. It was a question upon which he had obtained every information that could be acquired, and to which he had applied the deepest research; and the result was, that he had no doubt whatever of the legality of omitting her majesty's name in the Liturgy; an opinion which, in his mind, the construction of the acts of parliament, and the consideration of what had been done under the authority of those acts, during the whole period since their passing, completely confirmed.

The Archbishop of *Canterbury* observed that the noble earl had intimated that a large secession from the established church had taken place, in consequence of the omission of the Queen's name in the Liturgy. Now, if such accession did exist, of which, however, he was entirely ignorant, he thought it must be owing to political, and not to religious feelings. He was not disposed to undervalue the claim of her majesty to have her name inserted in the Liturgy. It was a claim to something which was important when possessed, and still more important when withheld; but at the same time he must contend, that it was a claim wholly unconnected with religious principles. It was a claim, not for prayer, but to distinction in prayer. Her majesty was prayed for in the Liturgy and in the collects set apart for the royal family. He would, however, admit that to be so prayed for was no particular distinction. Still she was prayed for. Indeed, there was no person of any rank or degree in society who did not receive the benefit of the prayers of the church; and God forbid that any individual, high or low, should ever be excluded from that benefit. But, all that her majesty complained of was, that she had not distinction in prayer, the omission of which was not a question connected with religion, but one of grace and favour.

Lord *Ellenborough* contended, that the provision made for her majesty by this bill was too large. The reason alleged by the noble earl for granting 50,000*l.* namely, that the Queen would be entitled to that sum, if she survived the king—was not sufficient; for her conduct had not been such as ought to induce parliament to anticipate in her favour an event which might not take place. When he considered her majesty's conduct, not only as it had appeared in evidence at that bar, but, by her publications, and, in particular, by her Letter to the king, he could not expect that the money granted would be employed for the only object for which it ought to be granted, which was the maintenance of the dignity of the Crown. On the contrary, he was afraid that it would be so employed as to throw greater disparagement on the Crown and the institutions of the country. He regretted that, on the passing of this bill, the Commons did not take into consideration the circumstances of the case, and those principles of economy which had induced them on a former occasion to limit a grant proposed to be made to a branch of the royal family. This limitation was made upon a strong conviction that the case was one which ought not to receive the sanction which the grant might imply. There had been many occasions on which the sentiments of the people had for the moment been contrary to the decision of parliament; but he believed there never was one in which a decision of parliament received more general approbation than that to which he alluded. There were other points of economy to which the attention of the House of Commons had been frequently directed. He recollected several motions for the reduction of the public expenditure; and, among the rest, those for abolishing the third secretary of state, and lessening the number of the lords of the Admiralty. The grant which was now made to her majesty, he, however, believed, was equal to the amount of all the savings that would have been effected by those reductions. The opinion of the people respecting her majesty's conduct would soon be set right: and when they once formed a right judgment on that subject, he was convinced that there was no part of the proceedings in parliament respecting her which would be looked back to with so much disgust as this grant, made at a period of great national distress. He would not however propose a reduction, because, recollecting the practice of parliament respecting money bills, he would not hazard the opening of discussions between the two Houses which might revive the subject in which their lordships had lately been engaged. He was indeed anxious that nothing should be done to prevent her majesty from falling into a state of oblivion. He rejoiced that the subject being now got rid of altogether, she would no longer be able to agitate the country. It was to the throwing out of the bill of Pains and Penalties that their lordships were indebted for this happy state of things. Had it not been for the rejection of that bill, the case would still have been before parliament, and her majesty would have had the appearance of being an object of persecution, and would have been held up as an injured and unfortunate woman. There had been rumours, but he trusted they were untrue, that it was her majesty's intention to refuse the grant conveyed by this bill, unless her name was restored to the Liturgy. He hoped that if she had been advised to this course, it would be departed from. It could only tend to keep up popular clamour, and to continue those differences of opinion which had so long prevented the public business of the state from being duly attended to. It would be for her now to decide, whether she would receive the grant liberally voted by parliament, or become the pensioner of a party; but he hoped that she would not only take the money which was offered her, but abstain from doing or saying any thing which might lead to the re-agitation of the painful subject which had already occupied so much of the public attention.

The Earl of *Limerick* agreed, that the grant was too large, and with much of what had been said respecting the conduct of the Queen; nor should he have risen, had it not been for an allusion made by the noble lord, to what took place some time since in the House of Commons with relation to a proposed allowance to a branch of the royal family. He could not agree with the noble lord in his opinion upon that subject: so far from there having been any evidence to justify the vote alluded to, there was nothing alleged but mere rumours; and so far from that vote, which was only carried by a majority of one, meeting with the general approbation of the public, he did not believe that there was any general opinion of that description. He should feel himself guilty of great baseness, if he had not stood up in defence of the illustrious individual (the duke of Cumberland) who, at one time taking an active part in that House, had used all his exertions to bring in ministers whose measures were the best calculated to promote the interests of the country.

The Earl of *Blesington* was far from thinking, that the annuity granted to her majesty was too great. On the contrary, he thought it too small. Considering that the bill of Pains and Penalties had been withdrawn, it was the duty of ministers to offer her majesty a palace and the full enjoyment of all her rights. He did not, however, approve of the advice which had been given her to refuse this grant. By the withdrawing of the bill she was the triumphant party, and she might, therefore, accept the money without giving up any legal claim. It was the opinion of the country at large that the exclusion of her name from the Liturgy was unjust, and he was confident there would be no tranquillity until it was inserted.

Lord *Calthorpe* expressed a desire that the money now granted would be employed in supporting the high station of her majesty, and in exercising those virtues which the House had in view in all grants to the illustrious family on the throne. He should be glad if the apprehensions which he entertained on this subject were unfounded. With respect to the amount of the grant, ministers had, in his opinion, acted wisely. Her majesty had shown a great degree of liberality, on a former occasion, in surrendering a part of the income intended for her by parliament, and he did not wish to see any advantage taken of that liberality by proposing a less sum on the present occasion.

The Marquis of *Lansdown* would not have risen on the present occasion, had he not been one of those adverted to by his noble friend as having, by his advice, contributed to induce his noble friend not to agitate the question to which he had alluded. In doing so he was guided by the consideration that all discussion on a question of this nature ought to be avoided when it could lead to no practical result. He would say, that the amount of the grant proposed by ministers met with his concurrence. Whatever opinion might be formed of the Queen's conduct since she came to this country, he thought it ought not to weigh with the House on the present occasion. Disapproving, as he did, of her Letter to the king—disapproving, as he did, of many of her answers to addresses,—he at the same time thought that in the extraordinary situation in which she was placed, it was the height of cruelty to make her responsible for every part of her conduct—conduct which she had pursued under circumstances to which no queen was ever before exposed. Filling her high station, and enjoying her exalted rank, he thought the proposed grant not too great, nor did he think that her majesty was well advised to decline receiving a grant made by the bounty of parliament—even though a right on which she laid great stress was withheld. He trusted, therefore, that she would yet consent to accept it.

The Bill was read a second time.

HOUSE OF COMMONS,

Tuesday, February 20,

PREVENTION OF BANK FORGERIES.] Mr. *Curwen* rose to put a question to the hon. member for Bodmin upon a subject of great public importance. His question related to the steps now taken by the commissioners who were appointed to inquire into the best means of preventing the forgery of Bank notes. It was within the last few days rumoured that Mr. Applegarth's plan of a Bank note, which was to render imitation almost impossible, had entirely failed: he hoped, on every ground of policy and humanity that this rumour was not correct. At all events, he hoped that the commissioners would not, on account of one discouraging circumstance, drop their proceeedings. He knew that it was impossible to get any plan which could be pronounced inimitable; but they might obtain a plan which would render forgery so extremely expensive and difficult, as to make that pursuit impossible for those who pursue it. He wished to know, whether the commissioners had any plan in a state of maturity; because if they had not, he must move for the appointment of a committee to ascertain the cause of the delay.

Mr. *D. Gilbert* replied, that the Bank had taken the utmost pains to give effect to the exertions of the commissioners. The plan of Mr. Applegarth, did not consist of any superior improvement in the art of engraving, but in hardening a steel plate in such a manner, by a chymical process, as to give it that durability which would admit of any number of impressions being struck from it. But it was obvious that the perfection of the plate alone did not complete the process. The commission had to proceed upon a consideration of the greatest difficulty; namely, to consider whether it was possible to make, by human art, a plan which human art could not imitate. In the pursuit of their project they had corresponded with all quarters of Europe and America. They had availed themselves of all the means of obtaining information which they could possibly command, and had selected what appeared to them the best. Some which at first appeared inimitable were in the course of the inquiry, found capable of imitation; so that the commissioners had had repeatedly to change and vary their plans according to fresh circumstances.

NOTTINGHAM PETITION FOR THE IMPEACHMENT OF MINISTERS.] Mr. *Denman* said, he held in his hand a petition from the people of Nottingham, praying for an inquiry into the state of the country—praying specifically for an inquiry into the transactions which took place at Manchester, and also that articles of impeachment might be exhibited against ministers. In the absence of ministers he would not stop to say how far their conduct appeared to him to deserve the severe imputations cast upon them. In presenting this petition he thought it right to observe that the language, although strong, and perhaps extremely so in one or two passages, was yet on the whole what he could not but consider applicable to the circumstances to which the petitioners referred. And when the House recollected that the petition came from a town where, though trade was said to have revived, there yet remained an arrear of 6,000*l.* of poor's rates, which could not be collected without aggravating the distress it was intended to relieve, the House ought not to be too fastidious in considering the language in which such persons conveyed their sentiments.

The Petition was then brought up and read. The petitioners stated, that the greatest evils had been brought upon the country by the acts of a corrupt and unfeeling administration, under whose policy the real glory of England was tarnished, and her people bent down under acts of cruelty and oppression. The motto of those ministers was "divide and conquer." They implored the House to institute an impeachment against them for the various injuries they had inflicted on the people, and for their base and traitorous conduct towards their innocent, high-minded, and persecuted Queen. They wished to terrify the people by acts of tyranny—men were led to captivity, and brought to the scaffold without cause. The people, suffering under distress and misfortune, cried out for food—their complaints were answered by the corn law, by swords and bayonets, and disgraceful acts of parliament. The carnage of the memorable 16th of August, a day of blood, which was not accounted for, demanded retributive justice. They prayed that the traitors and murderers of that day might be brought to condign punishment. The people on that day had done no wrong. Why, then, should they have been butchered by armed yeomanry, who received public thanks for their deeds of murder and of blood.—On the question being put, that the petition be printed,

Mr. *Wynn* said, that he must object to this motion, which would send forth in a printed form, through the medium of that House, a libel upon the administration of justice. He did not object to expressions merely offensive to ministers; but when it was said that innocent blood had been shed upon the scaffold, they ought to hesitate before they circulated such a statement throughout the country.

Mr. *Bennet* said, he did not agree in all the statements of the petitions, but he could not but strongly object to the attempt to get rid, by a side wind, of the old right of printing petitions. The hon. gentleman could not produce a single instance in which petitions were not printed as a matter of course for the last two years. His late lamented friend (Mr. Whitbread,) had said, on the occasion where an alteration had been made with respect to the printing of petitions, that the language of several petitions might not often suit the delicate ears of persons in that House, whose conduct those very petitions might impugn. It was quite a new attempt to prevent the printing of petitions. It was done with a view which was disclaimed in that House several years ago. If it should prove successful, the thing would come to this — that every petition which expressed, in terms of honest indignation the feelings of the people might be stifled: gentlemen would refuse to allow such petitions to be printed. The next step would be, to prevent the petitions from being read. They might then decide not to receive them at all. He could not but set his face against an attempt to prevent the printing of petitions. It was acknowledged on all hands, that the country should be informed of the proceedings of that House; but the present was an attempt to prevent the country from being informed. The right of having the petitions of the people printed, was one which he would not consent to surrender. He would therefore take the sense of the House upon the subject.

Lord *Binning* said, that a more inflamed account of a possible grievance could not have been made, than that just given by the hon. member upon an objection being merely taken to the printing of a petition, which libelled the administration of justice throughout the country. Because they refused to print such a petition they were to be told that they were obstructing the right of petition? Since the arrangement had been made upon the subject of printing the votes, he only recollected one instance in which an objection had been taken to the language of a petition; so that the right of making the objection—which unquestionably existed, or else why put the question from the chair upon the printing—had not been captiously exercised. The old practice was, when arranging the votes, for the Speaker to order the petitions to be presented, omitting, however, any passages which might be deemed objectionable. By the new arrangement, the whole of each petition was printed. He certainly should vote against printing a petition containing such language.

Sir *Robert Wilson* was not prepared to say that blood had been shed innocently upon the scaffold, yet he was ready to assert that people had been cut down and trampled to death in broad day, without having been guilty of any violation of law; and that ministers, so far from bringing to punishment the perpetrators of that atrocious act, had rewarded them by transmitting in the first instance the thanks of their sovereign, and by subsequently conferring upon the individual by whose order the people had been trampled upon, a place of great emolument. This petition, so far from being deemed objectionable, ought to be received with readiness by ministers, who had thus an opportunity of redeeming themselves from the disgrace and infamy of countenancing the destruction of 620 persons who had been wantonly killed, wounded, and maimed on the 16th of August at Manchester. He was in a court of justice the other day when an hon. baronet (sir F. Burdett), was receiving sentence for having expressed his indignation at the murders that had been committed at Manchester, —murders which he was prepared to prove at the bar, if the House would grant him the opportunity. He had heard the judge declare, that no wrong could be inflicted in England without redress. Where then was that redress for the people of Manchester? He and others had been in vain seeking to obtain redress for that outrage. The conduct of ministers, in suffering it to pass without inquiry, justified the people in considering their subsequent acts so lawless as to call for a bill of indemnity.

Lord *Castlereagh* said, he could not help admiring the strain of feeling in which the gallant member thought proper to indulge, when he launched out in describing acts of the most extraordinary description, and at once charged ministers with protecting from punishment known violators of the law. Thank God the people of England lived in a country where the ministers could not, if they were so disposed, protect any individual who had offended against the laws from being amenable to their jurisdiction. The ministers had here no power to screen any man from the consequences of his act: the highest and the lowest were alike amenable to the law. Why did the gallant officer indulge in this theme of declamation, when the laws were open to the aggrieved party? Was it because it answered better the views of the gallant member, and others who thought with him, to keep this subject afloat as a topic of inflammatory declamation rather than to put it into any train of legal inquiry? If there were any man, or any body of men, under a charge of murder, and no person stepped forward to bring them to punishment, it was a reproach to the gallant general that he had not travelled out of his military character, and assumed the civil functions of a public prosecutor. With regard to the thanks which his majesty had been advised to give to the magistrates of Manchester, he should always glory in the share he had had in protecting men who had saved the country from the base attempts which evil-minded persons had made to subvert its constitution. The true reason why the conduct of the magistrates and yeomanry had not been brought before a jury was, that there existed no grounds for such a proceeding. Though ministers, in the line of conduct which they had pursued, had not the good fortune to possess the favourable opinion of the gallant general, they had obtained what they valued much more—the approbation of that House. As to the question immediately under consideration, he hardly knew any thing that could be said of the ministers of the Crown, which ought to prevent the House from receiving a petition; but when it spoke in unbecoming language of the legislature, or impugned the administration of justice in the courts of the country, it was the duty of the House to express its opinion in such a manner as should repel the unfounded charge. Perhaps it would have been the more natural course to have objected to the petition being received; but he did not see that because that had been neglected, they were deprived of all discretion, so far as to be obliged to send before the country sentiments so unbecoming and so dangerous.

Sir *R. Wilson* said, he had not asserted any thing that he was not prepared to prove. He charged the parties to the transaction of the 16th of August with murder, and he was prepared to take the responsibility of that charge.

Lord *Castlereagh* said, it was open to the hon. general to establish his charge before a competent tribunal.

Sir *M. W. Ridley* said, that if he had been in the House when the petition was read, he should have objected to its lying on the table; but he thought that as it had been received it ought to be printed.

Mr. *Wynn* could not accede to the proposition that every petition that was received was fit to be printed, as there might be petitions presented containing reflections on individuals which it would be highly improper to send forth.

Mr. *Bathurst* contended, that the House had sanctioned the principle that a petition might be received and not be printed, by deciding that after it had been laid on the table there should be a distinct question "that this petition be printed."

Mr. *B. Wilbraham* declared that the magistrates of Manchester were anxious, for a full inquiry into their conduct. No bills had been presented against any of them. As to the yeomanry, they stood in a situation somewhat different; for bills had been presented against them, and had been thrown out by the grand jury.

Mr. *Brougham* thought it must be the desire of the House to put the petition in print. The phrase "disgraceful acts of parliament," must be understood as applicable to the conduct of ministers; and he contended that the people had a right to stigmatise acts of parliament carried by the influence of ministers. With respect to the other parts of the petition he considered that the people had a constitutional right to go great lengths in the language of petition. With respect to the transactions at Manchester, nothing on that subject which had occurred since those transactions, had altered his original opinion. Indeed he thought that what had happened since, had done more to abate the respect of the people for the administration of the public justice than any thing he had ever known before. Nothing had so tended to shake the confidence of the people in that best and surest support of a government. He regretted that the grand jury of Lancaster had not found the bills of indictment; because, had they found those bills, the subsequent proceedings upon them, the conviction or acquittal of the accused would have restored the public confidence in the laws.

Mr. *Lushington* observed, that the House had last session rejected a motion for the printing a petition; and if there was ever a case in which the House should exercise its discretion, it was in the case of this petition, the language of which was so universally acknowledged to be objectionable.

Mr. *Denman* denied that he had expressed any thing which could be understood as a doubt as to the propriety of receiving the petition. Indeed, with respect to that part of it which said that "when the people uttered the language of complaint and woe, they were consigned to the scaffold," he contended that it was literally the fact. The distress of the people had been worked into rebellion by the conduct of spies and informers. Referring to the transactions at Manchester he said it was odd enough that ministers themselves had never instituted any inquiry. There had however been a little judicial inquiry; and although it had been broadly asserted that cart-loads of stones had been carried to the meeting at Manchester, and that one of the magistrates had been trampled upon, yet not the slightest evidence had been offered upon the judicial inquiry at York, for the purpose of shewing the truth of those statements. He was aware that many of his friends were not inclined to go the length of the sentiments contained in the petition. But he never remembered a petition presented to that House which met with the unanimous approval of all parties. The people were not bound to couch their complaints to that House in such language as should suit its taste. The House should know what were the sentiments of the people; and this being done in the form of petitions, they were in the ordinary course printed for the accommodation of the House. It was not for the purpose of disseminating libels through the country, nor could it have that effect, that he desired the present petition should be printed.

The question being put, "That the petition be printed," the House divided: Ayes 64. Noes 130.

List of the Minority.

Allen, J. H.
Althorp, visc.
Beaumont, T. P.
Becher, W. W.
Birch, J.
Bright, H.
Brougham, H.
Bury, visc.
Calvert, C.
Caulfield, hon. H.
Colborne, N. W. R.
Crespigny, sir W.
Creevey, Thos.
Curwen, J. C.
Davies, T. H.
Denison, W. J.
Dickenson, W.
Duncannon, visc.
Ellice, Ed.
Fergusson, sir R. C.
Gordon, R.
Graham, Sandford
Grant, J. P.
Griffiths, J. W.
Guise, sir W.
Hamilton, lord A.
Harbord, hon. E.
Heathcote, G. J.
Hobhouse, J. C.
Honeywood, W. P.
Hornby, Ed.
Hughes, W. L.
Hume, J.
Hutchinson, hon. C. H.

Lambton, J. G.
Lennard, T. B.
Lushington, Dr.
Maberly, John
Macdonald, J.
Martin, John
Monck, J. B.
Moore, Peter
Moore, A.
Newport, sir J.
O'Callaghan, J.
Ord, Wm.
Ossulston, lord
Palmer, C. F.
Phillips, G.
Phillips, G. R.
Power, R.
Rice, G.
Ridley, sir M. W.
Robarts, A.
Robarts, G.
Robinson, sir G.
Stanley, lord
Sefton, earl of
Smith, W.
Stuart, lord J.
Taylor, M. A.
Wharton, John.
Wilson, sir R.
Wortley, J. S.
Wyvill, M.

TELLERS.

Bennet, hon. H. G.
Denman, T.

CONDUCT OF THE SHERIFF OF CHESTER.] Mr. *Creevey* rose for the purpose of submitting a motion, founded upon a petition from the freeholders of the county of Chester, which petition was presented to the House on the 9th instant. In the first place, he would move that that petition be read. [The petition was here read by the clerk.] He understood the case to be briefly this:—A meeting of the nobility, clergy, gentry, and freeholders of Cheshire was convened by the sheriff. At that meeting an address was submitted. An amendment to the address was moved and seconded by two noblemen, earl Grosvenor, and lord Crewe; the effect of which was to suggest another and a different address, deprecating the conduct of ministers, and requiring the restoration of her majesty's name to the Liturgy. Both addresses were equally loyal, but there was this material difference between them, that the one moved by lord Grosvenor entered into a little detail of facts and opinions, which it was thought right to submit to the consideration of his majesty, with regard to which the address on the other side was totally silent. The petitioners complained that the sheriff refused to put the address of lord Grosvenor at all, and also, that he would not allow the negative to be put upon the address of the other side, declaring on the first show of hands, that the majority of the meeting were in its favour, and immediately withdrawing himself from the chair. The petitioners further alleged, that the majority of the meeting were adverse to the original address, and decidedly for that of lord Grosvenor, as would have been testified had the sheriff put that address first, as they conceived it his duty, as that was an amendment upon the address originally proposed. If the allegations of the petitioners proved to be true, he apprehended that there could be no doubt, as to the propriety of some animadversion upon the conduct of the sheriff. When the allegations should be established in evidence, it would then be for the House to consider how a sheriff should be dealt with, who had thus interfered with the right of the people to petition. In the year 1680, the House had come to a unanimous resolution, that any violation of the right of petitioning, by obstructing the people in the exercise of that right, or in any demand for the redress of grievances, was an unjustifiable act. There was also a precedent, which immediately followed, of a distinct censure pronounced by that House upon the conduct of sir George Jeffries, who, as recorder of London, had presumed to obstruct the citizens in the exercise of the right of petitioning. Here, then, were precedents directly applicable to the case to which this motion referred—the first containing an assertion of the right of the people to petition, the second the referring of a complaint upon the subject of this right to a committee of the House, and the third conveying a just animadversion upon an individual, by whom that right had been violated. Now, upon these precedents he proposed to act; and therefore, he should in the first instance, move for the reference to a select committee, of the petition presented to the House on the 9th instant, from certain freeholders of Cheshire, with power on the part of that committee to examine evidence touching the allegations of the petition, and with instructions to report thereupon. The precedents which he had quoted running, according to the common expression, on all fours with the case to which he had to call the attention of the House, he could not apprehend aey objection to his motion. Whether the statement of the petitioners were well or ill-founded would appear from the examination and report of the committee; and upon that report being presented, it would be for the House to determine as to any subsequent proceeding. If the allegations of the petition were established in evidence, the House would decide how the sheriff should be dealt with. This, then, would be matter for consideration upon a future day. At present, the sheriff alluded to appeared to have been guilty of a gross violation of the right of petitioning, and therefore the House was particularly called upon to take cognizance of the charge against him. There was, indeed, in the circumstances of the present times, a very forcible reason why that House and the public should be peculiarly jealous of the right of petitioning. From the obnoxious acts which had not long since been passed, it was evident that ministers and their adherents, were peculiarly jealous of any expression of the public opinion. So, indeed, the noble lord (Castlereagh) manifestly was, when he solely and emphatically dwelt upon those addresses from corporations and clergymen which made such a figure in the London Gazette. But while corporations and clergymen were at liberty to express their opinions and to present their addresses, was it too much to desire that the same liberty should be possessed by the people at large? That the sentiments of the people were adverse to ministers was matter of notoriety. He would dare even the noble lord to dispute the fact. But how could those sentiments be expressed if a sheriff, who was one of the few persons at present authorized to convene a public meeting, were allowed to act as the sheriff of Chester was accused of having done in this case? If such conduct were indeed overlooked, ministers having the appointment of the sheriffs, and possessing considerable influence in the appointment of most corporate officers, their wish to suppress the voice of the people might be gratified by very easy management. Let the corporations and the clergy declare any opinion they might entertain; but at the same time, such men as lords Grosvenor and Crewe, as well as the petitioners before the House, should have an opportunity also of expressing their opinions upon public affairs. If what were called the loyal addresses contained the foulest abuse upon the nation, was it to be endured, that the people should be prohibited, not only from addressing their sovereign, but from speaking even in their own defence? Let the House hear extracted from the London Gazette, the language of the loyal clergy and gentry of Chester. Here the hon. gentleman read the following extract "Now, when the disaffected are almost unfurling the standard of rebellion, when the blasphemer is aiming to overthrow the Altars of his God; we feel it to be the duty of all to come forward and defend our well-poised constitution, and our holy faith." There was an address, too from the members of the loyal Wellington club at Stockport. This club, instituted in honour of the great captain of the age, contributed freely to the columns of the Gazette their assumptions of peculiar loyalty, their abuse of their fellow-citizens, and their political horror of blasphemy. Earl Grosvenor, and the great body of the county were therefore desirous of expressing their loyal sentiments; but the sheriff had not thought that they were entitled to this satisfaction. He begged to call the attention of the House to another address. It was from the corporation of Harwich represented in that House by the president of the board of control, and the chancellor of the exchequer. Harwich was a regular treasury borough, and would have as readily returned the two chiefs who had come to this country from New Zealand, as the two right hon. gentlemen opposite, provided there should be no suspension of the usual facilities between them and the treasury. "The name of your majesty's royal progenitor, (say these addressers) the many virtues which enriched and adorned his character, were but so many pledges that in his immediate successor, the first object of his anxious solicitude would be the preservation of external peace, and internal tranquillity. On the assumption of the regal character, your majesty openly manifested such desire, and the voice of gratulation, which on that occasion was first heard in the centre, struck upon the heart of every faithful subject, and was quickly reverberated from the remotest extremities of the empire." Pretty well this for oyster-sellers! "Lawless and designing men have, however, since availed themselves of extrinsic and adventitious circumstances, and with unceasing vituperation sought to disturb your majesty's repose, to deride your councils, to trample under foot our holiest institutions and to undermine the fabric of our happy constitution. Enlinked with blasphemy, disloyalty dares to rear a shameless front, and under the feigned terms of reform in parliament and amelioration of government, means only to level all orders among men, to dissolve the social compact, destroy the grand palladium of British freedom, and to institute in their stead a reign of terror and confusion."—This address was transmitted to the chancellor of the exchequer, who, from some feeling as to the eulogium it contained upon himself and his colleagues, might have declined to present it. But, notwithstanding the absurdities with which it teemed, he had no objection whatever that it should be framed and glazed, for the edification of ministers and their advocates. All he desired was that such men as lords Grosvenor and Crewe should be allowed to give public expression to their sentiments, as well as the loyal, rotten borough of Harwich. He knew nothing of the gentleman who was high sheriff of Chester. All he knew was, that if the petition was true, the sheriff had done wrong, and he hoped that the House would prevent the repetition of such wrong. The hon. gentleman then moved, "That the said petition, complaining of the conduct of the sheriff of the county of Chester, be referred to a Select Committee, to examine the matter thereof, and to report the same, with their opinion thereupon, to the House."

Mr. *Davenport* said, that not having been present at the meeting referred to, he hoped he should be excused for offering a few observations. The sheriff was as independent in character and fortune as any man in the county, and if he had acted wrong it was only an error in judgment. He had never heard that he was a party man. Was it to be said that he was a party man because he was connected with a yeomanry corps? That yeomanry corps had been raised by a subscription at a county meeting convened for that purpose. A committee had then been appointed, not only for the management of the funds, but the nomination of officers. If it was a party corps, it was an extraordinary party, for whigs and torries had subscribed. The House should recollect, before they agreed to such a motion, that it was no trifling matter to drag the high sheriff up to attend a committee of that House. The office of high sheriff was an arduous, and generally a thankless office.

Mr. *Egerton* said, that as soon as the petition was known in the county, the high sheriff had written a letter explaining his conduct, which, with permission of the House, he would read. The letter was hastily written, as little time was left for explanation of the circumstances. [Hear the hon. member read the letter.] The high sheriff admitted that he had acceded to earl Grosvenor's proposal to adjourn the meeting to the fields, believing the Salt-house to be too small: but that, on a representation by others that the place that might be fixed on would be previously occupied, he resolved to hold the meeting in the Salt-house, but in the mean time insisted on all persons, of whatever party, being removed out of it. Having exerted himself alike for each party, he regretted to say that he had been unsuccessful in obtaining them a hearing. He denied that he had refused to put the amendment. From his ignorance of the parliamentary manner of putting such questions, he had not been aware that the amendment ought first to be put, and he had therefore put the address. The address having been carried by a large majority, there was no room to put the amendment. He was not so presumptuous as to think that he had not erred; but he was sure that he had acted according to the best of his judgment. This was the statement of the high sheriff, and many who had been present at the meeting were ready to prove the same facts, if required to do so. It had been objected that "freeholders" had been substituted for "inhabitants" in the requisition. Mr. Potts, the under sheriff, had written an explanation of this matter. In the original requisition it had been "nobility, clergy, &c." The high sheriff, when he directed a meeting to be called, wrote to Mr. Potts—"You will take care that the &c's. be filled up in the usual way." Mr. Potts stated, that he had been many years in the habit of making up such documents, and had used always the same terms. If there was any blame it rested with him, not with the high sheriff.

Mr. *Gipps* hoped the House would not think it necessary to notice the conduct of the high sheriff, unless something more serious were established against him. The case as it now appeared was, that lord Grosvenor and the petitioners had been outnumbered, and felt sore in consequence. If they did not like the manner in which the meeting was conducted, why could they not have withdrawn to some other place and voted counter-resolutions?

Mr. *Philips* said, that the only object of his hon. friend was, to make some provision against the recurrence of such conduct as the petitioners complained of. As to the approbation of his conduct, upon which the high sheriff professed to rely, that approbation came only from one quarter. There was not a single individual on the other side whose approbation he had received. Under all the circumstances, he thought the motion should be acceded to.

Mr. *Bootle Wilbraham* thought that this was not a matter in which the House could constitutionally interfere. In cases where the privileges of the House were concerned, they had the power of calling the party offending to the bar. The sheriff was undoubtedly amenable to the House in all cases of election, but he was not aware that the House could constitutionally exercise any control over the sheriff in other cases. It certainly did not appear from Blackstone, that the sheriff was subject to the control of this House in any matters except those connected with the election of knights of the shire. He begged not to be understood as wishing to abridge the privileges of the House; but the facts of the present case did not appear to him to justify their interposition. The sheriff was a gentleman whose impartiality and purity of conduct were unquestionable. He was persuaded that he went to the meeting with a firm determination to do his duty with impartiality. One of the charges against him was, that he did not summon the inhabitants, though required to do so; another, that he refused to put the amendment. Now, he did not know what law there was to compel a sheriff to put the amendment. As to the other charge, that he refused to divide the meeting, but contented himself with a shew of hands, the usual mode of taking the sense of a meeting was by a shew of hands, and the constitutional appeal from the sheriff's decision was to a poll; but this was a case which did not admit of a poll. He believed the fact was, that the room in which the meeting took place was so full, that it was next to impossible to divide. He certainly regretted that the sheriff had not allowed his noble friend to be heard; at the same time he must observe that some expressions which had been used by his noble friend were received with strong marks of disapprobation, and might account therefore for his not obtaining a hearing. He trusted the House would not yield to this motion, and by so doing afford a triumph to those tribunes of the people who had liberty in their mouths, but anarchy in their hearts.

Mr. *Curwen* said, it was of the utmost importance, that the right of petitioning should not be violated, that the country might know whether the noble lord opposite and his colleagues did or did not possess the confidence of the people. If it were in the power of the Sheriff to refuse to take the decision of a meeting, material injury would arise, both to the people and to this House, as it would prevent them from hearing the sentiments of their constituents. Had the object of this motion been to censure the conduct of the sheriff, he should not have been willing to go that length in the first instance; but, as it went merely to inquire into his conduct, he thought the motion ought to be acceded to.

Mr. *Wynn* said, that the first point upon which the conduct of the sheriff was arraigned, was, that he had called a meeting of the nobility, gentry, and freeholders, and not of the freeholders and inhabitants. Now, he contended, that in so doing, the sheriff had only discharged his duty; for he believed the practice of summoning the inhabitants to county meetings was of very recent date. A county meeting, in the constitutional sense, was a meeting of the freeholders of the county, of those persons only who had a right to attend the county court. As to the charge, that the sheriff did not put the amendment, he really was not aware that the forms of that House, however excellent, were of such high authority, that every public meeting in the kingdom was bound to copy them. It appeared that an amendment to the original address had been proposed by lord Grosvenor, and that the sheriff, instead of putting the amendment in the first instance, had taken the sense of the meeting upon the original address. Now, he really could not see why the sense of the meeting might not be as fairly collected in this way as by following the forms of that House. There was another charge against the sheriff, that he had refused a division when it was called for. Now he had heard of a great many county meetings, but he had never heard of a division taking place at such a meeting. The objection was perfectly frivolous, and honourable members, who knew how much time a division occupied in that House, must be aware that the numbers at a county meeting could scarcely be counted on a winter's day. He thought the sheriff had exercised no more than a legal discretion, and that, whether legal or otherwise, his conduct ought not to become the subject of inquiry in that House.

Lord *Belgrave* said, he was present at the meeting, and certainly there was a material difference between the terms of the requisition as it had been read by the hon. member for Cheshire, and the terms which were actually employed. The hon. gentleman had stated it to be a requisition for a loyal address to his majesty; but the words of the requisition were, "We, the undersigned, call upon you to convene a meeting, for the purpose of declaring to his majesty the sentiments of loyalty and attachment to the throne which animate the breasts of the inhabitants of this county." He was sorry to hear it denied by the sheriff, that he had refused to put the amendment; for the fact was, that he had distinctly said, "I take upon myself to refuse putting the amendment to the meeting." He regretted that he was obliged to complain of the conduct of several gentlemen with whom he had the pleasure of being personally acquainted, but without entering into details, he would only observe, that so extraordinary was the behaviour of some of those gentlemen, and so great was the confusion, that though he was close to the chair, he could not hear the vote of thanks to the sheriff. The sheriff withdrew precipitately from the hall, and the whole transaction reflected disgrace upon the county to which he had the honour and the happiness to belong. The two important points were, that the sheriff had first refused to put the amendment, and next, that he had not allowed a division, though in truth there ought to have been little difference of sentiment, since the address and the amendment, rightly viewed, were hardly distinguishable. He was anxious that the authority of the sheriffs of counties should be supported, as he knew that it was as important to a county that its sheriffs should be looked up to with respect, as it was to the city of London that it should have a magnificent lord mayor. But, he wished the House to remember in what manner the sheriffs had formerly been chosen by the people, and he wished them to look carefully at any proceedings that went to make them act as the mere instruments of the Crown. Up to the 9th of Edward 2nd the sheriffs were always chosen by the people, as much as members of parliament were at present. He shewed how this right had fared in different parts of the kingdom. In the county of Westmorland, it was vested in one noble individual, and a countess of Pembroke had actually sat as sheriff on the bench with the Judges. This might seem strange to Englishmen, but not so strange to foreigners. He was led to this conclusion, from having the other day accompanied a foreigner to the House of Lords, who on seeing the bench of bishops, had asked, "if they were not peeresses who sat there in there own right." If the sheriff complained of, had been in an error, his conduct ought to meet with reprehension. He thought the House ought to reprehend the conduct of the sheriff, and declare that the amendment ought to have been put, and the division called for granted.

Mr. *Warre* was convinced that the sheriff of Chester had not acted with any intentional partiality, even if he had erred on a point of form. He must therefore oppose the motion.

Lord *Castlereagh* felt that no case had been made out to impeach the conduct of the individual in question. No insinuation had been uttered against the intentions of the sheriff, and his letter bespoke a mind of the utmost candour and liberality. He protested against the doctrine, that whenever a charge was brought forward casting even the remotest doubt, an inquiry ought instantly to be commenced. If the House suffered itself to be dragged into such investigations, they must be interminable. He should be sorry indeed to see county meetings in any way discouraged, because from them the public sentiment was to be collected; but it was to be remembered that, by law, the sheriff was invested with a discretion whether he would or would not call them, and no more effectual mode could be adopted to induce him to decide against them, than to threaten that his conduct as president, however impartial, should be made the subject of complaint and inquiry, provided he were guilty of the slightest breach of the most insignificant forms. Besides, such a jurisdiction did not in fact belong to the House of Commons. If the conduct of sheriffs at county meetings was to be made the subject of the labour of committees, in what way were other assemblies whether convened by lords lieutenants, by magistrates, or in private rooms, to be excluded. The presidents of all these might in turn be brought before the House, whose functions were ill qualified for such a duty. With regard to relevancy, who was to decide what was or was not relevant? At a late meeting in Middlesex regarding the Queen, that great reformer, the veteran major, had introduced the topic of a change in the representation: and the subject of the Queen and parliamentary reform, to say the least of it, seemed quite as nearly allied as the original address moved in Cheshire and the amendment attempted to be substituted in its place.

Mr. *A. Moore* thought it of the highest importance, that the House should inquire whether the sheriff in this instance had violated a public principle, or merely deviated from a formal rule. Contradictory statements had been submitted to them, and it therefore became necessary, in order to get at the facts, that the subject should be referred to a committee. That some further explanation was desirable, had, he thought, become obvious. An hon. member had observed, that he should have been more inclined to pay attention to this complaint, had the sheriff refused to convene the county. Now to him it appeared that a refusal to collect and to ascertain the sense of the county when it was assembled, called still more loudly for the notice of that House. It was far from his intention to dispute the respectability of the sheriff's character; indeed, that respectability added to the importance of not suffering his example to become a precedent. It had been urged that the practice of convening counties under the authority of the sheriff was but of recent date. He agreed that they had no judicial power over such assemblies:—they were in a situation similar to that which they held in their county courts. In the latter case the jury, and in the former the freeholders, were the judges. The office of sheriff was purely ministerial; when he refused, therefore, to put an amendment, he exercised a discretion with which he was not invested. The persons assembled, and not the sheriff, were to pronounce an opinion on the relevancy or non-relevancy of the proposition submitted to them. It was to that House alone that the people could look for redress of a grievance of this nature. A court of law could afford none; but the animadversion of the House, and a recorded statement of its opinion, could hardly fail to prevent a repetition of the abuse.

Mr. *Creevey* then shortly replied. The object of his motion was the encouragement of county meetings. If a sheriff could refuse to put the question upon an amendment, he could not see what occasion he had to call the meeting at all. He regretted that an hon. gentleman (Mr. Wynn) should have lent the sanction of his authority to this doctrine—a doctrine by which what was called a loyal address might be represented as containing the sentiments of the county, although it libelled two-thirds of the people, and charged them with the vilest blasphemy and sedition. The sheriff of Derby, and the sheriff of Oxford, had not acted under the guidance of this new light, but had considered it to be their duty to offer amendments to the meeting, those amendments having been regularly moved and seconded. In now pressing his motion he was actuated by no vindictive feeling towards the gentleman whose conduct was the subject of discussion; but he thought the House owed it to their constituents to uphold the sacred right of petition, and to express their disapprobation of the course adopted in this instance.

The House divided: Ayes 65; Noes 122. Majority 57.

List of the Minority.

Allen, J. H.
Althorp, lord
Becher, W. W.
Bright, H.
Bury, visct.
Calvert, C.
Campbell, hon. F.
Caulfield, hon. H.
Clifton, lord
Crespigny, sir W.
Davies, T. H.
Denison, W. J.
Duncannon, visct.
Ellice, E.
Farquharson, A.
Fergusson, sir R.
Graham, S.
Grant, J P.
Gordon, R.
Griffiths, J.
Guise, sir W.
Hamilton, lord A.
Harbord, hon. E.
Heathcote, G. J.
Hill, lord A.
Hobhouse, J. C.
Honywood, W. P.
Hornby, E.
Howard, hon. W.
Hughes, W. L.
Hume, J.
Hutchinson, hon. C. H.
Lambton, J. G.
Lennard, T. B.
Lushington, Dr.
Maberly, J.
Macdonald, J.
Marjoribanks, S.
Martin, J.
Monck, J. B.
Moore, A.
Moore, P.
Newport, sir J.
O'Callaghan, J.
Ord, W.
Ossulston, lord
Palmer, C. F.
Phillips, J. R.
Price, R.
Ramsden, J. C.
Rice, G.
Robarts, A.
Robarts, G.
Robinson, sir G.
Rumbold, C.
Sefton, earl of
Stanley, lord
Taylor, M. A.
Tennyson, C.
Western, C. C.
Wharton, J.

Whitmore, W. W.
Wilson, sir R.
Wood, ald.
Wyvill, M.

TELLERS.
Creevey, Thos.
Philips, G.

PAIRED OFF.
Shelley, sir J.

AFRICAN COMPANY.] Mr. Goulburn rose to move for leave to bring in a bill to abolish the African Company, and to transfer to his majesty all the forts and possessions belonging to them. He wished not to be understood, that by making such a motion, he cast any imputation whatever on the company.

Mr. *Marryat* observed, that though the object of this bill was not to impute any blame to the African company, the effect of it certainly was, to cast an imputation upon it. The House had heard much of late of the impropriety of prejudging a case before a trial; but the House, in acceding to this motion, was going to condemn a party which, on a former occasion, had been acquitted by a committee of its own selection. Gentleman would recolleсct, that after the affairs of the African company had been submitted to the consideration of a committee, the committee had declared itself satisfied with the manner in which they were administered, and had merely recommended that the governor of its settlements should be appointed by his majesty, that the number of its forts should be diminished, and that the number of governors should be reduced from nine to six. What had occurred since that period to show the necessity of altering the manner in which the affairs of that settlement were regulated he did not know. The right hon. gentleman had not stated any cause for altering it, and a very deserving officer, (sir G. Collier) had spoken in high terms of the internal administration of it. He wished to remind the House, that that company had opened a communication with the king of Ashantee, and with others of the native chieftains, from which there was a certainty of obtaining better intelligence respecting the interior of Africa than any which had been yet acquired; while two expeditions which had been sent out from Sierra Leone, at a cost of thirty or forty thousand pounds to the country, had entirely failed in the objects for which they had been fitted out. He did not see why a company which was acknowleged on all hands to have acted meritoriously should be abolished, without the necessity of the abolition of it being shown to a committee.

Mr. *Gordon* said, he had been a member of the committee to which the affairs of the African company had been referred, and had been instrumental in the drawing up of the report which it had presented to the House. When the committee recommended that the sovereignty of the settlements on the Gold Coast should be continued to the African company, it had done so from the difficulty of knowing how to avoid many evils which another system of government was certain to introduce. His majesty's ministers had since laboured under the same difficulty; and he was informed that they had considered many plans for the administration of those settlements before they had determined on taking them under their own control and governance. That measure appeared to him to be wise and politic, and calculated to produce the most beneficial effects. He did not see what right the African company had to complain of these forts being taken out of their hands. They were originally placed under their control to support the slave trade: and one would suppose that when the slave trade was abolished those forts would be abolished also. Besides, the country paid from 25,000*l.* to 30,000*l.* annually for their maintenance, and of this sum he thought the 1,200*l.* paid in salaries to nine of its directors might at least be saved. He did not anticipate any increase of influence to the Crown from this measure; for he thought that none of the canditates for office would wish to go out as governor to Cape Coast Castle, and none of the aspirants in diplomacy to live as resident at the town of Tombuctoo, or other capital of the king of Ashantee.

Leave was given to bring in the bill.

HOUSE OF LORDS.

Wednesday, February 21.

FOREIGN TRADE—COMMERCE OF THE COUNTRY.] The Marquis of *Lansdown* rose, in pursuance of notice, to move the re-appointment of the committee of last session, or rather of a new committee, to consider the state of our Foreign Trade. In doing so, when he recollected the general concurrence of opinion which prevailed last year, he felt it would not be necessary for him to go into those details to which he had then been induced to direct their lordships' attention. But, though he did not think it necessary to travel over the ground he had last year taken, it appeared to him not improper to advert to some petitions which had been presented to the House on the state of the country, and in particular to the dissent expressed from the propriety of that specific limitation of the inquiry which had last year been adopted on his motion, and which he should now again propose. He wished to call the attention of their lordships to what appeared to him to be the true causes of the distress which was so generally complained of; because, if he were right in the opinion he had formed, those causes were so obvious, lay so much upon the surface, and were so little abstract in their nature, that the mere statement of them would at once show that their lordships were relieved from the necessity of appointing any other committee than that which he was about to propose, and that they could only be required to proceed with respect to them as they would upon any other admitted facts. He was also the more induced to enter into this explanation, as the noble earl opposite had expressed his intention of communicating some information on the same subject. Any person that had kept his attention fixed on the events which had passed during the last thirty years on the great theatre of the world, would have no difficulty in understanding how the present state of things had been produced. It was evident that, for a long period of years, a large portion of the capital of this country had been drawn from the subject, and made a part of the annual expenditure. The effect of the capital thus expended was, to cause a great demand, not only on the part of the government of the country, but on that of those who lived on such an expenditure; and the effect of such a demand being to create supply, a great supply of manufactured articles was produced in the country. Not only was the capital expended, but it was done through the medium of a circulation, which having no fixed standard, lent itself with elasticity to all the operations of speculators. The time of correcting the evils of such a circulation, and of restoring a fixed standard, having at last arrived, although it might have been possible for the legislature to defer it longer, there remained nothing but a load of immense taxation on the one side, and a superabundant supply on the other, whilst the country returned, not only to a fixed standard, but to one contracted and diminished. Unless this statement could be controverted, he could hardly conceive that the House would think a committee necessary to inquire into the cause of the present distress. It would be only deluding the people to lead them to believe that any good could be attained by an inquiry which would travel out of those great operating causes. Whilst they continued to operate, no adequate remedy could be found. Painful as was the admission, yet it was certain, that no prompt remedy to the existing distresses was to be expected; more particularly to that part of the distress which pressed most heavily on agriculture; because it was impossible to connect it with the state of commerce. Whether the chief cause of the sufferings of the agriculturists were, as the noble earl opposite maintained, an excessive production, or as he (the marquis) contended, a decreased consumption, or whether both of them were partly right and partly wrong, it was impossible that the state of the Corn Laws could have any share in producing that distress. It was impossible, that in contemplation, that at some future period, if the price of corn rose to 80 shillings, Foreign importation would be allowed, farmers should keep down their corn to 50 shillings per quarter, and thus speculate themselves out of their profits and capital, for fear of distant contingency. It was therefore clear, that no alteration needed to be made in the Corn Laws; and that none which could be made would have the effect of affording any remedy to the agricultural distress. That distress arose from the state of the home market, which laboured under the pressure either of a superabundant supply, or of a diminished demand. He should therefore feel himself to be acting very wrong if he held out expectations of advantage from any other measures than those to which he was now about to allude. But the question put by the petitioners was "Is there no remedy at all?" That there should be no prompt and ready remedy for an evil which had been growing up for years, could be no matter of astonishment to their lordships, nor to the thinking part of the country. But though no prompt remedy could be expected, some might be found in the gradual progress of economy and retrenchment. The natural remedy to a state of things which had called out a great capital, could arise only from a free distribution of capital and produce. Without such a distribution, no remedy was attainable. It was therefore necessary to remove every species of restrictions which operated against that free distribution; to give every facility to capital to dislodge itself, and to break its large masses into divisions which would feed and support different branches of employment. This was the only mode in which their lordships could hope to provide a remedy for the present distress. Now, the impediments which it was necessary to remove, were, with respect to our Foreign trade, the restrictions under which it laboured; and with respect to our Home trade, the taxes which it had to pay, and each of which had the effect of a legislative restriction on that portion of capital. The pressure of taxation was felt in every branch of manufacture, and hence the necessity of a rigid economy, in order to render the repeal of oppressive taxes practicable. The repeal of taxes belonged to the other House; but still he trusted that questions which related to the means of easing the people of their burdens would never be alien to the minds of their lordships. With respect to Foreign trade, however, the cause was different. It had long been the policy—a most mistaken policy—of this government to impose restrictions on certain branches of Foreign commerce. The effect of these restrictions was, to oppose to Foreign commerce the same sort of impediments and embarrassments, that taxation presented to the Home trade. Their tendency was, to force trade into channels the most unnatural and unprofitable to the country. On this subject, it was not necessary for him to go into detail. Indeed, were he to judge from the sentiments expressed in that House last year, and from what had passed in the committee, he should be sanguine as to the enforcement of the principles on which he thought it was the duty of the country to act. But the difficulty was not so much with regard to the general principle, as to the carrying it into practice. In the present enlightened times, the admission of the principle, that restrictions on trade were injurious was easily obtained; but the moment it was attempted to apply that principle in practice, a formidable resistance was presented by various interests. Science had made such progress within those walls, that there was no fear of the exploded doctrine of restriction being maintained in that House. But to any measure which parliament might take to benefit Foreign trade much opposition was to be expected from numerous interests. The merchant, whose trade might be affected by the removal of a restriction, the ship-owner, the manufacturer, all would put in their claims, and all too would find them supported. It happened indeed, that every interest had been well supported in parliament except that of the unfortunate consumers, who composed nine-tenths of the population. Every favour, however, which was granted to other interests, was in fact taken from this class; while every arrangement which would be an advantage to it, would be an advantage also to the country. It was the interest of the consumer, therefore, that their lordships, in any regulation which they might make, ought chiefly to have in view, without at the same time neglecting that attention which was due to every other interest. He knew there had been persons who had maintained that the various acts of parliament imposing restrictions had been the foundation of the commercial prosperity of the country, but he, on the contrary, thought, as had been well said in another place, by one whose alliance on this question he was glad to have, that the trade of the country had flourished in spite of them all. He would now move for the appointment of a Select Committee to inquire into the means of extending and securing the Foreign trade of the country.

Lord *Ellenborough* regretted that he should have occasion to differ with the noble marquis; but he could not entertain the same views of the effect likely to be produced on the existing distress by the reduction of taxation. The utmost practicable reductions could not be to such an amount as to be felt as a remedy. There was one mode, however, of affording considerable relief. That mode consisted, not in the removal of the taxes, but in their more equal distribution so as to press more lightly upon manufacturers. He might appeal in support of his opinion to the report of the committee of last year on the Timber Trade. In what state had the committee found the duties on that trade? The duties on logs were higher than those on manufactured timber. Those on Norway deals amounted to 60 per cent, and those on Petersburgh deals to only 30 per cent. The same Norway deals paid an import duty of 11*l.* in Ireland and of 20*l.* in England. When such irregularities had been discovered in one branch of trade, there was no doubt but that if the same research were carried into the whole of our commercial system, such a new arrangement and distribution of duties might take place, as would afford efficient relief to manufacturers, without diminishing the receipts of the Treasury.

The motion was agreed to, and a committee appointed, consisting of the same members as that of last year.

The Earl of *Liverpool* rose to move that certain accounts be laid before the House, but did not mean to enter into any details on the state of the commerce of the country, and, least of all, on that great fundamental branch of industry agriculture; but he was anxious that the House should, as far as it was possible, know what was the real state of the case with respect to consumption in order, that when they came to discuss the question, they might not be ignorant of the facts connected with it. In the situation he held, he had thought it his duty to direct his attention to this subject, and to collect together all the information that could be obtained relative to it. The view of the subject which the papers he intended to move for would give, would not vary much from that which he had taken on the first day of the session. (when a difference arose between him and the noble marquis.) He had then stated, that one great cause of the public distress was an excess of production. He admitted that the causes to which the noble marquis had alluded might have their effects, but the noble marquis had also stated, that diminution of consumption was a more probable cause than over-production. He had endeavoured to obtain the best information in his power on the subject. With regard to that article which was the most important criterion of consumption, he meant bread, he had no means of obtaining information capable of leading to a conclusion which could be regarded as any thing like correct. But, from the manner in which the revenue was collected, their lordships had the means of accurate information on all the other great articles of consumption. It would be found that with respect to the Excise, the increase was great. He would not found his calculation on the value of the articles, because that was subject to variation, but on the quantity, which subject to one qualification, was more certain. The qualification he alluded to was, the defalcation which might be supposed when produceded by smuggling; but that, so far as might be calculated on, would make the consumption greater. He would take his estimate of the consumption from an account of the quantities of several articles charged with duties of Excise in each of the last four years, ending the 5th of January 1821, and a comparison of the last year, with an average of the three preceding years. The articles were beer, candles, coffee, hides and skins, malt, pepper, salt, soap, British and foreign spirits, tea, tobacco, wine, and sugar. He would move that the returns of these articles be laid on the table; but in the meantime he should state to their lordships what he understood would turn out to be the quantities of the different articles and the general result of the comparison:

Strong Beer.	
Average number of barrels on which the Excise duty was raised in the three years ending in Jan. 1818, 1819, and 1820	5,356,000
For the year ending Jan. 1821	5,599,000
Making an increase of	243,000

Table Beer.	
Average for the three years ending Jan. 1820	1,447,000
For the last year	1,519,465
Making an increase of	72,465

Candles.	*lbs.*
Average for the three years ending in Jan. 1820	79,810,409
For the last year	88,350,000
Making an increase of	3,539,591

Coffee.	*lbs.*
Average for the three years ending in Jan. 1820	7,569,000
For the last year	7,019,000
Making a diminution of	55,000

Hides and Skins.	*lbs.*
Average for the three years ending in Jan. 1820	46,219,000
For the last year	44,702,000
Making a diminution of	1,517,000

Malt.	*Quarters:*
Average for the three years ending in Jan. 1820	23,289,000
For the last year	24,511,000
Making an increase of	1,222,000

Salt and Rock Salt.	*Cwt.*
Average for internal consumption during the three years ending in Jan. 1820	1,936,000

For the last year	1,981,000
Making an increase of	45,000

For Exportation.	*Cwt.*
Average for the three years ending in Jan. 1820	861,247
For the last year	1,199,000
Making an increase of	537,753

Hard Soap.	*lbs.*
Average for the three years ending Jan. 1820	69,474,000
For the last year	73,765,000
Making an increase of	4,291,000

Soft Soap.	*lbs.*
Average for the three years ending Jan. 1820	4,569,000
For the last year	5,187,000
Making an increase of	618,000

British Spirits.	*Gallons.*
Average for the three years ending Jan. 1820	5,047,000
For the last year	6,575,000
Making an increase of	1,528,000

Foreign Spirits—Rum.	*Gallons.*
Average for the three years ending Jan. 1820	2,790,000
For the last year	2,757,000
Making an decrease of	33,000

Foreign Spirits—Brandy.	*Gallons.*
Average for the three years ending January 1820	866,000
For the last year	1,143,000
Making an increase of	277,000

Tea.	*lbs.*
Average for the three years ending Jan. 1820	22,186,000
For the last year	22,542,000
Making an increase of	356,000

Tobacco.	*lbs.*
Average for the three years ending Jan. 1820	11,847,000
For the last year	11,680,000
Making a diminution of	167,000

French Wines.	*Gallons.*
Average for the three years ending Jan. 1820	977,000
For the last year	916,000
Making a diminution of	61,000

Wines—not French.	*Gallons.*
Average for the three years ending Jan., 1820	18,446,000
For the last year	16,300,000
Making a diminution of	2,146,000

Sugar.	*Cwt.*
Average for England alone during the three years ending Jan. 1820	3,117,000
For the last year	3,413,000
Making an increase of	296,000

Thus, the papers which he should move for would show that on almost all the great articles of consumption, coffee excepted, an increase had taken place. As he had already stated, there was no means of obtaining a return of the quantity of bread consumed: but when it appeared that there was an increase in all the other great articles of consumption, was it possible to doubt that that important one had also increased? There appeared then to be no ground for the conclusion which the noble marquis had drawn of a diminished consumption. He did not bring forward the information, for the purpose of denying the existence of distress. He brought it forward to establish the fact—and a consoling fact it was—that the comforts of the people could not have very much diminished, when the consumption of many of those articles on which their comfort depended had increased. He agreed with the noble marquis, that the distresses of the agricultural part of the population could expect no alleviation from any change in the existing corn laws. Whether the system of corn laws established some years ago was wise or otherwise, he would not stop now to inquire. He wished it only to be considered whether by altering these laws, even allowing them not to be the most politic, we should not increase our difficulties, and whether a continued change even for the better might not be more dangerous than an adherence to a system which was not originally the best. Entirely concurring with the noble marquis, that the object of every wise statesman ought to be, the removal of restrictions from commerce and industry to every practicable extent, and believing with him that our commercial prosperity had been brought about rather in spite of such restrictions than by their operation; still he did not think that they ought to be hastily or inconsiderately removed. Whatever evil belonged to restriction, constant fluctuation was, in his opinion, still worse. The different interests of society, when placed under laws that were not speculatively the best, might adjust themselves to their situation and to each other; but no man could tell what to do in constant fluctuations, or how to accommodate himself to continued change. He might go the length of saying that in some countries where the laws with respect to the trade in grain were more liberal than in this, they were not productive of the same advantage by their want of steadiness. In those countries, though theoretically better in many instances, they were liable to be changed by the operation of favour, caprice, ignorance, or intrigue, and thus no man could place any reliance on them so as to square his conduct by their provisions: but in this country, though the law might not be the wisest, those who were affected by it could calculate upon its continuance, and thus could establish their business and credit in conformity with it. It was not his intention to enter at large into the question of the agricultural distress; but he would say that the circumstances which had forced great tracts of waste land into cultivation, and had thus produced a greater supply than would otherwise have been produced, had very much increased the difficulties of the country. This was an opinion which he had formed after extensive inquiry. He allowed that there were other circumstances which, by their operation, contributed to our agricultural embarrassment. One of these he alluded to with pleasure; namely, the increase of the importation of grain from Ireland, which last year had amounted to 351,871 quarters, being more than the average importation from all quarters of the globe till a recent period. Though this importation hdd been at first productive of difficulties to one part of the empire, it would ultimately promote the prosperity of the whole. A noble baron had given it as his opinion, that considerable relief might be obtained by a change in our modes of taxation, and in the manner of distributing the taxes. Whether the present modes of taxation were the best he would not stop to inquire. It had been his opinion that an increase of the direct taxes would have been beneficial, and therefore he was for preserving for some time the income tax. But it was entirely a different question whether it would now be advisable to alter the existing system. A change in one instance might produce such a general derangement as would more than overbalance the contemplated advantage. The noble earl concluded by moving for the accounts to which he had referred.

Lord *Erskine* declared that he felt great disappointment at the speech of the noble earl. He did expect to have heard much more on the present occasion, as to the best mode of diminishing, if not of remedying, the severe evils under which the people were labouring. The noble earl, amidst his enumeration of small beer, candles, soap, &c. had said nothing of the real cause of the distress under which the country was labouring. That cause was the war of above twenty years duration, which had created a stock of 7 or 800 millions, the proprietors of which, having lent their money to carry on the ruinous contest, were now to be paid by the industry of the people, and more especially of the agricultural classes, without on their part contributing to the general sacrifice. The noble earl had said nothing about the poor-rates, that other source of distress to the landed interest, the evils of which had frequently been aggravated by acts of the legislature. The poor laws, in their original institution, were intended to provide only for those who were so weak or infirm as to be unable to work; but now a man could come and say—"I can work; I have children who can work likewise; but I can find no labour, and I call upon the parish to support me." Thus, those who could find no work swallowed up the means of the industrious. He entreated their lordships to take these things into their consideration, and suggest some means, not of giving cheap bread, but of increasing the wages of labour. It was far better for the poor to be employed: and, when employed, it did not matter much—at least up to a certain point—whether they had cheap bread or not.

Lord *King* said, that formerly it was the practice of ministers to come down to the House with the annual accounts: now they came down with an annual paradox. One year our distress was owing to a transition from war to peace; and another it was owing to excess of production. Swift, in all his expositions of the follies of mankind, never described any thing so absurd as this last paradox. If there had been a deficiency of supply, the noble earl would have found our distress was owing to that case. When the noble earl mentioned that there had been an increase of production and of consumption, would he likewise say that there had been—the necessary consequence of it—an increase of capital? No; there had been no increase of capital: there had been no increase in the quantity of lime used on the land: there had been no increase in the quantity of agricultural labour. As for the cause of our distress, we need look no further than to the circumstance, that we had been for twenty-five years engaged in war, and that we must now pay for it, aggravated as its burthen had been by a change in the currency. While there had been a destruction of capital by this means, there had been an increase of population. This being the disease, economy and retrenchment were the only remedy.

The Earl of *Darnley* did not think that any legislative interference could do good. The only remedy for our distress would arise from retrenchment of expenditure and a diminution of taxation.

Earl *Grey* expressed the extreme disappointment with which he had listened to the noble earl, who, from figures and official documents, endeavoured to draw an inference which was contradicted by every thing in the country. He well remembered that the noble earl had, some years ago, by the production of similar documents, endeavoured to draw the inference that the Bank paper was not depreciated; he now, however acknowledged that it had been so, and no doubt the same falsification would attend his inference of the present night. The assertion of the noble earl that the continued consumption proved that the comforts of the people were not diminished, could be refuted by every man in the kingdom. Nor did he believe that there was the excess of production supposed by the noble earl; for he understood that the last crop was rather under than over the average. The causes of all the evils which the country endured, were obviously the profuse expenditure of the late war, and the burdens thereby imposed upon the country. The alteration in our currency was also a main source of the evil, for let them turn and twist it as they would, the fact was, that we had contracted in depreciated paper an immense debt, which we were unable to pay in our restored currency. The situation of the country appeared to him to be frightful. A noble friend of his had said, that we must not for a moment look at a breach of public faith. So said he. But there was an ancient law maxim, which was equally applicable to other subjects:—"Nemo tenetur ad impossibile." It was difficult to repress the apprehension, that we were much in the same situation in which France, at the time of the Revolution, was declared to be by a celebrated man, namely, "on the verge of bankruptcy." Distressed as the people were, and alienated from the government by a long course of the most impolitic conduct, there was nothing to which we could look with the slightest hope of relief, but the most unsparing retrenchment.

The motion was then agreed to.

HOUSE OF COMMONS.

Wednesday, February 21.

THE QUEEN—MILAN COMMISSION.] Sir John Newport presented a petition from Langholm, imploring the House to restore the Queen's name to the Liturgy, and to withdraw their confidence from a set of ministers who had misled their king, insulted their Queen, and who despised the voices of nine-tenths of the honest subjects of this realm.

Sir *R. Fergusson* said, he would take that opportunity of making a few observations with respect to the Milan commission. When he first brought this subject before the House, the noble lord opposite said he should be perfectly ready to promote an investigation when the proper time arrived. But how had the noble lord redeemed his pledge? He now said he should be ready to meet the question, if a motion were made on his (sir R. F's.) side of the House. What a mockery was this language on the part of the noble lord, when the noble lord and his adherents were determined to oppose any proposition which came from that side of the House. When he saw a great majority of that House blindly following a minister, and disregarding the wishes of the country, it would be folly in him to submit any motion on the subject to the House.

Sir *J. Mackintosh* expressed his entire approbation of the conduct of his gallant friend, in declining to bring forward any motion after the late divisions in that House, divisions upon which he (sir James) forbore to make any observation. He would abstain from all reflection upon them—he would leave them to the judgment of the country and of posterity; he would only say that they fully justified the prudent resolution of his hon. and gallant friend. He knew nothing of the particulars of the Milan commission; all he knew was, that a general suspicion had arisen as to their proceedings, which was not confined to any party in that House, but had extended throughout Europe. Under these circumstances he was astonished that the persons who formed that commission, filling, as they did, most respectable stations in life, did not themselves insist upon an inquiry into their conduct. He was still more astonished that ministers, who were equally interested in that inquiry, stated as an objection to it, the expense which would be necessarily incurred. He thought no expense could be too great, no price too high, for vindicating the honour of the country; and he should be sorry if, after such large sums had been expended to procure national dishonour, this House should be afraid to expend a small sum to vindicate the justice of the government of the country, which, whether justly or not, was universally suspected.

Lord *Castlereagh* thought the observations of the hon. and learned gentleman were wholly uncalled for by the circumstances under which this petition was brought before the House. With respect to the conduct of the Milan commission, those individuals had been most anxious to have the whole of the proceedings investigated. It had never, however, been the parliamentary practice, that a mere desire on the part of any individuals should be considered as a motive sufficiently strong of itself for the institution of an inquiry. If it had been expedient to institute an inquiry, they would have been able to satisfy the House that they had acted in conformity with the principles of British justice.

Mr. *Bennet* concurred in the propriety of his gallant friend's determination. In the present temper of the House there was little chance of his obtaining the object he had in view. But the time would come when the country would demand inquiry into the infamous transactions of the Milan commission.

Ordered to lie on the table.

NAPLES—CONDUCT OF THE ALLIED POWERS.] Sir J. Mackintosh rose to make his promised motion, when he was interrupted by Mr. Wynn, who requested precedence for a motion which he had on the paper; but the cries of "No" being loud and general,

Sir *James Mackintosh* proceeded with his motion. He commenced by expressing the readiness with which he should have complied with the desire of his hon. and learned friend, were it not that he saw the anxiety of the House to permit him to go on with the important business of which he had given notice. Indeed, he should have wished to have postponed his motion, were it not for the strong and urgent necessity which called upon him to proceed without delay to lay before the House the grounds of the question he had been induced to undertake. Since he had given his notice, various circumstances had occurred which enabled him the better to explain the statement he was about to make. He had had an opportunity elsewhere of hearing the arguments of his opponents; he had seen the weapons with which he had to contend; and, although a bad player, he thought he had dexterity enough to parry off their point. The attack upon the independence of Naples he should ever consider as the most unprovoked and unrighteous aggression ever committed by a vicious government. Since he had given notice of this motion, the anticipated event had, as he perceived, taken place. Perhaps, before this time, the ruin of Naples was completed. But the great question which he had to submit to the House upon this subject, depended not upon the course of events, nor upon the chance of war. No; though the whole Neapolitan territories should be once more overrun by the barbarous hordes of the north; though the modern tyrants of regions, which were in former ages the cradle of those rude warriors who desolated Italy, should once more pour their countless forces up to the Faro of Messina; neither circumstance would alter for one moment the motion he had to submit, nor throw one obstacle in his way while he explained its principles. On the contrary, he conceived that if the principles of national independence had been trampled under foot by one nation of Europe, the more it behoved the others to look with jealous anxiety to the safety and the preservation of their own inviolable rights. If wrong, aggravated by every species of injustice and assumption, had been triumphant in one case, the more was it incumbent upon that House to ascertain that this country had had no share in their disgraceful victory. If a war had been commenced, that either in its success or in its failure might, and would perhaps, involve all Europe in hostilities and anarchy, it was time that the House should inquire whether the ministers of this country had done their utmost to quench that first fatal spark, which else might kindle the most destructive conflagration. What might be the event of this aggression to Naples herself; what she might deserve, according to the degree of spirit and energy she should display in her resistance; or what might be the issue of these tremendous preparations, he could not, of course, at this period determine. Undoubtedly, and he said it with a melancholy reluctance, upon all principles of human calculation, the chances were against that devoted country. They were in favour of a political alliance and a disciplined army; and though the present age had furnished, perhaps, the most illustrious examples of the success of nations against armies of popular enthusiasm against military power, yet the ordinary career of human events would not justify us in supposing any other issue, but that Naples would be too soon occupied by the army of the triple alliance. Whether the Neapolitans, who, in a perhaps doubtful policy, had thought fit to copy the constitution of the Spaniards would wisely copy also the system of defence adopted by the Spaniards against the invading power of France; whether they would retire to their fastnesses and their mountains; and from those inhospitable retreats wage the only kind of warfare which could efficiently protect a people so situated; these were matters upon which he could not pretend to speak with any certainty. But this he affirmed with confidence, that no measures of an iniquitous policy—no seizure of fortresses—no occupation of territories—no mischievous confederacy, of a nature like those which in all ages had been leagued against the assertors of their country's liberty, and of the rights of all mankind—no perseverance in acts which he thought of such a destructive tendency, should divert him from his position. The views which he took of those proceedings would not be in the least degree altered, even if the Austrian army, after traversing the whole country, should plant its victorious standard at the extremity of the Peninsula of Italy.

His great object was, to obtain full, accurate, and satisfactory information with respect to the conduct of his majesty's ministers, in the negotiations which had been entered into upon the commencement of this inauspicious proceeding. [Hear, hear.] His majesty's government, as honourable members would well know, had lately issued a circular dispatch, addressed to the British ministers at foreign courts, and occasioned by the conduct of the allied powers of Troppau. That circular would save him a great deal of argument; for it described the principles which the allied powers intended to apply to the case of Naples, so strongly, and clearly, that it left him nothing to observe as upon this part of the subject. On the other hand, the circular of the allied powers stated the principles upon which those imperial commissioners for exercising the office of dictator of Europe were prepared to exert that immeasurable power, for the first time, with respect to the Neapolitans; who had not yet learned to acknowledge their newly-assumed, but sacred authority. This sacred trio had issued a circular, (which, it appeared, had been betrayed by a certain minister at Hamburgh,) in which they informed, not only their present subjects in Europe—for that would have been nothing—but in which they published to their future subjects, on what principles their future vassals, whether emperors, kings, landgraves, margraves, dukes, or potentates of whatever other denomination, might wear their crowns, or govern their states. These three sovereigns, who took upon themselves the lordship paramount of the whole of Europe—who treated monarchs as their vassals, and nations as their slaves had arrived at a conclusion founded on that ancient and equitable maxim, that "might is right." They had issued, in the plenitude of a power newly usurped, but arrogantly vaunted, their mandate "for the better government of kingdoms." But, happily for the world, there were those who still had something left in the shape of that freedom which these despots would put down; who still spoke of a constitution, once so venerable in the eyes of all the world, and still so formidable, as it would seem, to the congress at Troppau; those who would deny the power so assumed, and check the aggressions thus begun. The House, and the whole country, however, owed them at least this debt ef gratitude—that, in their very first act, these allies had not disguised their intentions; had not concealed their principles. Perhaps some explanation was here necessary, as respected the exposition which he had given of those intentions and principles. "Let not the House" (continued the hon. gent.) "look upon these words as mine—*non meus hic sermo.*" He had quoted from their own declarations; he appealed to the noble lord opposite; he appealed to the authority of the House itself; he appealed to his majesty's ministers who had so recently abandoned these royal triumvirs, in a manner to which he could add nothing.

He thought he had shown that the intentions of this new dictatorship of Europe were tyrannical, odious, and flagitious. He should now revert to the circular of his majesty's government; and he would abridge it, rather than detain the House too long by repeating it in detail. The first paragraph amounted to this—that the measures proposed by the allied powers were directly repugnant to the fundamental laws of this kingdom, directly subversive of the rights of mankind, and such as would render every man in Europe the subject or the slave of a royal triumvirate. The noble lord had denounced them so clearly and decidedly, as to make it impossible for him to strengthen the charge. They had heard various imputations against the sect called the Carbonari. He would say nothing on the present occasion as to the justice with which they were made, but he would defy any man to make a heavier charge against the Carbonari than the noble lord had thus brought against his allies. This royal and imperial triumvirate might deserve, and, no doubt, did deserve, every thing which was said against them; but what could be a more severe reprobation than what this paragraph expressed? He would even ask, whether every thing which was said, and rightly said, against Napoleon himself was not comprised in those few words which contained the indictment preferred by the noble lord against his late colleagues and friends assembled at the congress of Troppau? He was desirous in no respect to be wanting in proper courtesy to the noble lord, and would therefore abstain from making any observation which should call in question the accuracy or propriety of the language in which the circular was conceived; but he would say this, that the first article of the noble lord's impeachment of his former friends was not so solemnly alleged; nor were the terms in which it was couched so definite and serious as he, whose legal habits had rendered this a matter of importance to his judgment, was accustomed to see employed on other occasions of impeachment. The allied powers, Prussia, Russia, and Austria, were here charged with having made a proposition to his majesty's ministers which was of a nature directly contrary to the fundamental laws of this kingdom, No explanation had yet been given upon this subject. If he was rightly informed, from the face of the document itself, the intention of this article of impeachment against prince Metternich was, that he had proposed to the ministers of England a system of interference which, "if reciprocally acted upon," would require the king of Great Britain, or rather his ministers, to admit into this country foreign armies, with or without the consent of the parliament, and the people. He understood the noble lord to assent to this proposition; but, if he was wrong, he begged the noble lord would, in some way, indicate that he (Sir J. M.) was in error. [The hon. and learned gentleman paused for a few seconds.] As the noble lord abstained from giving him any sign or mark of assent, or the contrary, he must argue as though he agreed to it, This, then, was the greatest offence that could be committed, in contravention of that trivial instrument, the Bill of Rights, which especially prohibited the introduction of foreign troops, without the concurrence of parliament.

And now he must take the liberty of bespeaking particularly the attention of the House to this part of the impeachment against prince Metternich, which was so ably conducted by the noble lord. The case stood thus: prince Metternich, and the other ministers of the allied powers, had proposed to the government of great Britain a system of measures, which would enable the present, or any future administration, to invite into this country an army, for instance, of 100,000 Russians or Austrians. It was, in effect a proposition for encamping a whole horde of cossacks or croats in Hyde-park, and for protecting the free and unbiassed deliberations of that House by an army of Germans and Russians. He begged permission to offer some observations upon this matter. A measure, for the first time since the reign of Charles 2nd had been proposed to his majesty's government by foreign courts, the object of which was no less than for this government to enter into a solemn agreement to receive mercenary armies from the continent to dictate laws to the people of England. In case of civil danger, or that which a bad minister might be pleased to call civil danger, such a proposition might possibly be entertained; but those foreign courts had the audacity to propose to ministers, that they should admit into the kingdom foreign troops, without limit or restriction. When he said, that such a case had not occurred since the reign of Charles 2nd, he should have added, that the present proceeding was, in one respect, at least, infinitely more audacious; for the mysterious communication which subsisted between Charles and Louis was involved, as such transactions should be, in darkness and obscurity. But, in the present instance, this scandalous proposition was published in the face of all Europe, and intimation of it had been given to every minister in every court. In the face of Europe great Britain was required to receive foreign armies, to compose our domestic quarrels, and to preserve the national tranquillity. Now he should be ashamed of himself, and of those whom he had the honour of addressing—he should blush for his country, and her parliament, if he could imagine that that there was a single Englishman among them whose blood did not boil with resentment at the bare suggestion of a foreign power interposing in our domestic government, or a foreign bayonet interfering in our private quarrels. From the highest visionary or enthusiast in the country, on the side of liberty, to the lowest and most humble labourer it contained, such a proposal would meet with indignant rejection.

He would pray the House to observe the manner in which this proposal of these great military powers was put forward. Not content with laying down in theory a principal which they described as applicable in practice to all states, they dared to propose it to England. Upon the whole it appeared, then, that they had required the suppression of that which had been framed and instituted upon the greatest authority; that their proposal went to annihilate a sacred law which had existed for ages in this country, a corner stone of that venerable constitution around which so many trophies and memorials of its greatness and its policy had been reared in the lapse of centuries. This was the demand of those who had waged war upon the liberties of states, and had violated the rights of man. If this were so, as he had stated it, the most serious part of the matter before the House remained untold. These sovereigns, or their ministers, told us, in their circular, that they had no doubt of the assent of the British government to the principles which it contained; that is, to a system of measures which would reduce Great Britain to the state of a province—a miserable and infamous dependency on the despots of the continent. This was the plain inference. After so many of these demonstrations and declarations, and "abouchements des rois," all made in the true spirit of that holy alliance which fostered these just and virtuous and equitable maxims, the result was, that those courts gave us to understand that Great Britain must consent to a principle that should justify the landing of 100,000 Croats and Cossacks at Dover. Those courts would surely be very much aggrieved and irritated at the sudden desertion of the noble lord: they would now treat him—nay, they had already begun to denounce him, as one of the hostile party. It was always to be remarked, that when gentlemen of a certain calling and description got much together, and embarked on such enterprises as were generally undertaken by persons in their profession, some quarrel arose between them, which ended in very unfortunate discoveries. These were attended, with unpleasent consequences; and the seceders, and those before whom the parties had to appear, were equally objects of resentment and disgust to those who still remained the faithful companions of former adventures. And this recalled to his mind a very sensible observation made by the biographer of Jonathan Wild, of honourable memory. He said, that in the time of Charles the First there were certain cavaliers and good fellows, who kept the field a little longer than their brethren, and who, from their extreme gallantry, and fondness of action, not feeling themselves bound by the truces and compacts which sent their companions quietly to their homes, were at last secured, and infamously left for death by the arbitrary sentence of twelve men of the opposite faction. Now, in the case before the House, they had not only an impeachment of prince Metternich and baron Hardenberg from the noble lord, but a counter impeachment of the noble lord by those two very prime ministers.—This, then was his (sir J. Mackintosh's) first ground; and as it was necessary, in the case of absentees, to manifest a more than usual impartiality, it was requisite that he should now say something on behalf of baron Hardenberg and prince

Metternich. Not only could he produce those two witnesses at the bar of the House, but he could produce against the noble lord a third person—a Russian minister, with a very hard name. Count Capo d'Istria said, that the noble lord had induced them all to expect the assent of the British government to their proposition. This expectation they entertained, either from the consenting silence of the noble lord, or from that sort of language which diplomatists so well understood. They maintained that, up to the 19th of January last, the noble lord had dissembled with them, had kept them in ignorance of this unlooked-for issue, and had not only taught them that he would put into their hands the rights of Europe and the liberties of mankind, but further that he would receive into the county of Middlesex whole armies of Russians and Croats. Now, the noble lord, whose peculiar character it was, to remain calm and undisturbed through every discussion, however it might personally or politically relate to him, would not induce him (sir J. M) to suppose that he felt uninterested at that moment, for he rather thought that that silence was the result of agitation on the part of the noble lord, which agitation had perhaps led him to suppose that this was his (sir J. M) language. But it was not: it was the language of his colleagues, (for he would not call them his accomplices), the language of prince Metternich and baron Hardenberg. Here was a document (the foreign circular), in which the world was told that the noble lord's language to them had led them to expect a different kind of support from him; and really, if that was the fact, they had, as regarded themselves, reason to complain. But how stood the noble lord upon his own showing? It was a maxim "*habemus confitentem reum*;" and more than all this, they had seen that another noble lord, being himself to attempt an explanation of the conduct of government, had stated most candidly and eloquently all the facts, all the heinousness of this detestable proceeding on the part of the allied powers. It was not, however, the introduction of Cossacks and Croats into England which was commented on by the noble lord opposite in his circular, but the indictment of prince Metternich. The noble lord declared the prince's proposals to be contrary to the fundamental laws of this realm. What laws? What, but the Bill of Rights, which our ancestors had providently enacted into a law, and which, thank God, down to our day, had been effectual in restraining the illegal exertion of ministerial power.

It was now clear, he supposed, that the language he had held was only a familiar commentary upon the expressions of the noble lord himself. To proceed, however: he did conceive that the noble lord's late allies must have had some reason, for making this charge. He would not say, they were justified, in so doing, for it had been strongly denied by the noble lord. But he begged to ask him, whether the public declaration of the three greatest powers of continental Europe formed no *primâ facie* ground for inquiring into the conduct of administration; or supposing they had not made any such promise of assent, for inquiring into the history of so flagitious a falsehood as the ministers of the allies must, in that case, have published to the world? The ministers of the Crown were therefore in this dilemma—they must either prove that negative, or on the other hand they must show upon what grounds they ventured to hold out such an expectation to foreign courts. Either the noble lord must have made some promise to the allies, or the allies had been guilty of the foulest calumnies; and it would be too much for the House to leave this matter without calling for and examining such documents as must prove either the one case or the other.

Having stated this charge, as made by the allies in reply to the noble lord's circular, he would now remark, that the expressions in which it was conveyed, inferred, that in some way or other the British minister had given cause for such an expectation. The only way to ascertain whether the British ministry had been guilty of the greatest of all crimes to their country, or those of the allied powers of the greatest of all falsehoods, was to produce the communications that had taken place on the subject: and this, in brief, was the object of his motion. He wished to know whether there were not some circumstances which the allied powers might urge in their own defence; and prince Metternich and baron Hardenberg being absent, and it being to be feared that the noble lord would desert his ancient friends he was anxious to see whether there was not some colour for their charge, some slight degree of toleration on the part of the noble lord (he would not say connivance at) of the proposal in question. If the allied powers had observed on the part of England a behaviour towards Naples similar to their own, they might very reasonably infer that our intentions with respect to that power were not very dissimilar from theirs. This government refused to admit or entertain the new Neapolitan ambassador, prince Cimitelli; now, what more had the governments of Austria or Russia done in that respect? They did the self-same thing—they gave the prince the same refusal. He (sir J. M.) as a plain man, unacquainted with the forms of diplomacy, or matters of etiquette, wished to ask, whether it was customary to refuse audience to the ambassador of a government, in which the same kingly authority prevailed as in the time of the ambassador's predecessor, and in which no alteration had taken place, but in some limitations placed, with the consent of all parties, upon the kingly authority? As to the part taken by this country in the present unwarrantable proceeding of Austria, it had been already described with more humiliating eloquence than he could command; but what he inferred from the speeches made on that occasion, in another place, was, that we were to stand aloof from the strife; that we were to refuse that assistance which our strict neutrality required us to withold, to the suffering and the weaker party; but that we were to be ready to give as much moral, or as he should call it, immoral encouragement to the aggressor, as could be conveyed in the mysterious phraseology of diplomatic pedantry.

But, to return to the subject of the Neapolitan envoy, let him refer to the case of M. Chauvelin. Was not M. Chauvelin received as the abassador of Louis 16th, after the revolution; after the flight and return of that unfortunate monarch—after his deposition was complete, and perhaps his death resolved on—was not M. Chauvelin, the National Convention sitting at the time, received as the ambassador of the French king, by those very hon. gentlemen on the other side, who excused themselves from acknowledging prince Cimitelli on account of a change in the government of Naples, of a kind infinitely less extensive? In cases of the change of the actual sovereign of a country, or the transfer of the Crown, either by death or any other event, such a conduct as his majesty's ministers had pursued might be justified; but a mere limitation of the kingly power never could excuse them. However abominable he considered the principles of the holy alliance to be; however destructive of all principles of human happiness; however subversive of private and public rights: and however injurious to the progress of human society; yet still they must be acknowledged to have acted at least consistently with themselves, and with those execrable principles. But this country had acted in a very different manner: she, who still, in the history of Europe claimed some respect and love for her unshaken attachment to liberty and national honour, how had she acted? Did any body hesitate to receive, in 1772, the ambassador of Gustavus, the king of Sweden, when he had subverted the liberties of his native land, and changed her limited monarchy into a military despotism? He never heard that the voice of government was raised against that ambassador. By the most scandalous treachery, supported by a large military force, that tyrant surrounded the deliberative assembly of his kingdom, and compelled them to change a limited monarchy into an absolute despotism. The House would remember, that, within the last century, the Crown prince of Denmark had been elected into a despotic monarch—a most dangerous precedent of the facility with which men will sometimes lightly part with the best safeguards of their freedom; and which alteration, no doubt for that very reason, was made a pretext by the allied sovereigns for depriving this sovereign, at the Congress at Vienna, of his dominions in Norway.

His majesty's ministers had said, in justification of themselves, that they had felt themselves, called upon to express a necessary disapprobation of the measures taken in consequence of the revolution at Naples. And what did they do? Instead of making their disapprobation known to the Neapolitans, they communicated it to the allied powers. He remembered, before he had the honour of a seat in that House, being once present at a debate, through a breach of its privileges. An hon. friend of his, in the course of a speech he was then making, quoted a very splendid passage from Dr.

Johnson, upon the subject of war. The remark made on that speech by the celebrated Mr. Burke was this:—"The speech of the hon. gentleman is admirable the invective against war most spirited; and the instruction it contains beyond dispute: but I really do not see that the House of Commons is so quarrelsome a party in the case, as to render it necessary to address to it this homily; but let the hon. gentleman take it to the Jacobin club at Paris, or the Convention, and there it will be applicable." So, too, ministers ought to have preached their homily to the holy alliance, and not have notified their censure in a different quarter. But they rested their defence on two principal grounds: first, the adoption by Naples, of the Spanish constitution; and secondly, her conduct towards Sicily. What the conduct towards Sicily had to do with the relations between England and Naples, or what it had to do with those of Naples and Austria, he was at a loss to know. In defending the liberties of a nation, he was not bound to defend her through every fault and for every particular part of her conduct. He defended only her independence. In the eyes of morality, her conduct towards Sicily was a stain upon the character of Naples. But this was not the object of the revolution; for that very conduct occurred subsequently to the revolution. Foreign nations could have nothing to do with it. What would have been thought if any such representation had been made to William 3rd, when he levied war against Ireland? And yet that monarch was fighting against a people who were defending themselves upon principles pretty much the same as those of the glorious revolution of 1688, and were resisting the imposition of a foreign sovereign against their attachments and inclinations.

He would say nothing of the proceedings of Neapolitans in Sicily; he would say nothing of their severities or their confiscations. If they were not to be justified, he believed they might at least be excused. The ministers of this country were not called on to give an opinion. But it might be said, that we were bound to express our opposition to acts committed against our friends the Sicilians. There might be something in this, if Ferdinand the fourth had destroyed a free constitution which we had established in Sicily. But the government of Sicily, as well as of Naples, had been an absolute monarchy, and Ferdinand was the absolute sovereign of both kingdoms. The Neapolitans had reformed their government, and the king had agreed to a limited monarchy. This limited monarchy the absolute sovereign of Sicily offered to that part of his dominions. A rebellion ensued; and events, such as usually accompanied rebellion, followed. Those events were blameable, he admitted; but they called in no degree on his majesty's ministers for a declaration of their opinions. Suppose the emperor of Russia had committed acts of flagrant injustice and cruelty towards some of his subjects in Asia; were we called on to express our opinions and to remonstrate in behalf of the Calmucs and the Tonguisses? If such interferences were justified, there would be no end to them. Suppose some foreign government had complained of our conduct towards the Catholics in Ireland, and remonstrated on the ground that we had provoked a rebellion, and then suppressed it, in order to effect a union with Great Britain, should we have endured such intermeddling with our conduct towards any of our dependencies? upon what principle, then, could we consider ourselves called on to intermeddle with the conduct of the Neapolitan government towards Sicily.

A great deal had been said of the Neapolitans having adopted the Spanish constitution. Pretexts of this kind were always at hand when despots coloured their unprincipled aggressions by appearances of necessity. The partition of Poland, of which every man in the world complained, had been defended by similar pretexts. That unhappy country, had indeed been torn in pieces by those who first agitated her into factions, and afterwards divided her as a prey. But did it therefore follow, that the partition which ensued was not as execrable as it was unwarranted? Sweden had been agitated by factions in foreign pay, but did it follow that Gustavus was warranted in assuming absolute power? Yet, if France had then sent forces to Stockholm, in order to support a faction and compel the king to relinquish his assumed authority, would not the other powers of Europe have condemned such a scandalous invasion of national independence? But the Neapolitans had adopted the Spanish constitution! It seemed necessary to fix on some formal act as a point of union. When the nation called for a modified government from their king, it was thought necessary to present something to him for his adoption as a test of sincerity. That was not a time for deliberate writing. There was no opportunity of making paper constitutions. But a rallying point was to be pointed out to the nation, and a test to be presented by which the king should be bound, if any thing could bind him. The Neapolitans, for these purposes, chose the Spanish constitution. He would ask the noble lord whose fault it was that the Spanish constitution had been preferred as a rallying point? In 1811 the English constitution had been regarded as a model, and so it had continued to be regarded throughout Italy, till a new system of justice and liberty received the sanction and active co-operation of the ministers of England. The English constitution ceased not to be viewed with veneration till Genoa was betrayed—till the small and innocent states of Lucca and Ragusa, which had not the power of doing wrong if disposed to do wrong, had been given up to powers to whom they had the greatest repugnance. The same treaty he meant the treaty of Paris, had given up Parga to a savage barbarian. That conduct it was that had alienated Italy, and obliged the Neapolitans to take a far worse model for their political improvements. That conduct it was that had alienated the nations of Europe from us, and compelled them to regard our constitution no longer as a pattern for political amelioration, and as a model of liberty for mankind. The conduct of the noble lord and his colleagues had stripped England of brighter glory than the most splendid victories could give—of greater strength than the largest armies could boast; and, in return they had obtained nothing but an arraignment and condemnation from those to whom they had sacrificed the glory and strength of their country.

He would now proceed to two or three other matters connected with this question. It had been urged, as a grave charge against the Neapolitans, that the societies in which the revolution had originated had been secret. This was a most singular accusation. The Carbonari had been originally instituted against Murat, and had been persecuted by him for the same reason as now by the noble lord. Murat had made the same objection to them, that they did not hold their meetings in public. Murat, a prince of a liberal mind and of enlarged principles, would give them every indulgence provided only that their meetings were public, that they gave fair notice of their intended revolts, and that they proclaimed the day of their future march against his capital. [A laugh.] Murat, in common with the noble lord would have nothing arranged in secret. Ministers cared not how secret societies against liberty were held. The only societies whose secrecy incurred their censure, were societies for promoting the liberties of a nation. Another subject of severe censure was, that the army had taken part in the revolution. But of the Carbonari he had further to remark, that they consisted of members from every rank and order of men. If, therefore the revolution originated with the Carbonari, it originated with the nation, the great majority of which were Carbonari. Of the co-operation of the army he should say as little as possible without neglecting any point of the argument. He could not help wondering that any minister should be so bold as to give a challenge to justify the co-operation of the army in any form, or their interference in a revolution on any principles, however good. Was it to be contended, because the support of the army had been obtained, that therefore the revolution was unjust? Was it to be argued, because the revolution would have been unsuccessful without the support of the army, that therefore it must be condemned? On the first ground, it was unnecessary to consider the question, because the acquiescence of the army in a successful revolution could not on any principle be censured. On the second ground it was impolitic to argue the question. The interference of any soldiers in a free state he reprobated. He abhorred as much as any man the passage of Cæsar's army over the Rubicon: but when a nation was struggling for freedom—when the alternative was liberty or slavery—the assistance of the military was of the highest value. "Et nomen pacis dulce est, et ipsa res salutaris; sed inter pacem et servitutem plurimum interest. Pax est tranquilla libertas; servitus malorum omnium postremum, non modo bello, sed morte etiam repellendum." A people were not only justified, they were called on to risk every thing, rather than suffer the "malorum omnium extremum."

Another question started on this subject was, whether the Carbonari were confined to the Neapolitan kingdom or extended to the neighbouring states. This was the only point in which ministers seemed doubtful as to the right of interference. If the Carbonari extended to the neighbouring states, ministers said it was right to attack Naples. In 1812, when the Carbonari had been founded, the wish for emancipation had not been confined to Naples. The Carbonari existed in Lombardy, in Etruria, in all parts of Italy, looking chiefly to England for encouragement. From England it was that they had derived their spirit; to England it was that they had looked for countenance and support. They had been encouraged legitimately and wisely; for in such a war such resistance was legitimate and wise: encouraged they had been to revolt against the common enemy of Europe; encouraged they had been by this country—he did not say as Carbonari, but as partisans for liberty. What, then, was the meaning of this complaint so mysteriously let out? If there were Carbonari in Lombardy, Etruria, and the Venetian states, were the Neapolitans answerable? Had the Neapolitans formed the Carbonari there? Did they now encourage them? If there were any Carbonari in those states, they had been encouraged by England in defence of their religion and their rights; and was it now a crime for which Naples was to be punished? The treaties of Paris and Vienna had alienated the lovers of liberty throughout Italy from England. The betraying of Genoa, of Lucca, Ragusa, and of Parga—these were the schools, these the lessons, by which the Italians had been taught that they were to expect nothing from England. A late member of that House, whose premature death he should never cease to lament, who entered with profound sagacity into the characters and views of nations, and who sometimes spoke out his convictions—he meant the late Mr. Horner—had said, in 1815, that Italy would deplore the conduct of England to the last hour of her bondage. Mr. Horner's words were prophetic. The Neapolitans had now forsaken the English model, and "hewed out to themselves broken cisterns," which he feared would prove inadequate to the high purposes for which they were designed. The Neapolitans, in common with all Italy, had felt that they could not look for countenance or encouragement to England;—they had felt a conviction that they could look only to their own exertions, if they would not submit to the worst form of despotic oppression. But it had been said, that they ought to have presented a petition praying for a revolution. That they ought to have formed *monstrations des droits*. This petition of Naples would have been an extraordinary instrument for future imitation. "We, your majesty's most dutiful and loyal subjects, feeling that unlimited power in your majesty's hands has produced the greatest evils, and caused the most grievous wrongs, pray that your majesty will be graciously pleased to impose restraints on yourself, to abdicate your prerogatives, to suffer yourself to be harassed every day by members in opposition to your ministers, who will make vexatious motions, inquire into grants of money, interrupt cabinet dinners, and inveigh against the conduct of your government towards Genoa, Parga, Norway, Saxony, and he knew not what." [A laugh.] Such were the absurdities which had crept into the reasoning of ministers on this subject. They had reasoned, they thought, very profoundly and constitutionally, upon the conduct of the barons in obtaining Magna Charta, and of the parliament in claiming the Bill of Rights. But those proceedings had so taken place in England, because the government had been anteriorly free. In their desperation ministers had slandered the government of their own country, which had never been but free, and had represented it as similar to that system of despotism which was the scourge, the stain, and the shame of Europe.

Those, then, were the charges against the Neapolitans: First, they had extorted a constitution from their king: second, their conduct might encourage others in their vicinity to follow their example; third, they had not held a public meeting to deliberate on their grievances; and, fourth, the army had supported their measures. The noble lord limited the justification of interference which he had suggested to those powers whose territories might by possibility be affected by the vicinity of Naples. Of course, then, he excepted Russia and Prussia, upon the very condition which might justify the interference of Austria, for they had no more right, interest, or duty in the interference than we had. Siberia was no more in danger from the revolution of Naples than from an eruption of Mount Vesuvius.

The plea of vicinity, which, was borrowed from Mr. Burke, was not the plea of the allied powers, but of the noble lord. Their plea was, any revolutionary movement in Europe. "No," said ministers, that will not do; we offer you a justification; we say yours is too large; it will not do in England; it will not be heard in the House of Commons; they are not trained sufficiently for that; even the ladies will not like so well to walk through an army of Cossacks in Hyde-park; only say that the Carbonari are not Neapolitan; do you give us the credit of the war. Quarrel with us, and we should be liberal to you, and give you all the profit." [Cheers.] If this mode of reasoning was not quite satisfactory to the House, he could not help it. Lord Castlereagh, an experienced barrister in such proceedings, had given a brief to his younger brother of Russia, because his own brief would not be endured by the judges who did not like to travel beyond the record. Ministers asserted, that if Lombardy or any parts of the Austrian territories in Italy were in danger, it was just in Austria to interfere. But had they any evidence, to prove the truth of this? Had they any overt acts, any correspondence, any judicial trials against state criminals in Lombardy? No; *nil horum*. They had only a possible case. Austria *might* have a just quarrel. The Carbonari *might* be active in Lombardy. It was a series of possibilities put by them in the hands of the allied powers, who disdained to take it in justification of being lords paramount over Europe. For this office they were candidates, and they acted already as if they had been long in possession.

Before, then, this great war should rage in Europe—great it was in its principle, great it might be in its consequences—it was the duty of the House to inquire, whether there was any reason or pretence for it. Upon the ground that it apprehended danger it was open to any government in the world to justify a war. Ministers did not censure the allied powers for going to war; but they furnished them with a pretence for it; they provided for them a series of possibilities, the one dependent on the other, and the first without the shadow of foundation. The present emergency had been compared to the crisis of 1792. No one who heard the debates—the splendid debates—which distinguished the commencement of that, in his opinion, fatal war, could fail to remark the widely different pretences for that war and the war against Naples. There had been one overt act stated against France—it was the decree of the 19th of November 1792, encouraging states to change their government a decree of fraternity with all subjects who rebelled against their sovereigns. The conceptions of chimerical ambition—of power run mad—of despotism become drunk, which originated with the allies at Troppau never had been dreamt of then. The grounds on which the war had been defended, were the overt acts, the aggressions growing out of the revolution in France. The annexations of Savoy, the conquest of the Netherlands, the navigation of the Scheldt coupled with the decree of the 19th of November 1792, were the successive points of justification of the war. In the present case, no resemblance could be traced to the war against France.

> "At non ille, satum quo te mentiris, Achilles
> "Talis in hoste fuit."

There had been in 1792 at least specious grounds of quarrel. There was here nothing but open violation of every principle. He would be bold to affirm that the declaration of Laybach proceeded from the same malignant, dark, and dangerous principles as the decree of the 19th of November. *That* had declared that France would intermeddle in the affairs of any nation, where the subjects opposed their government: *this* declared that the allied powers would intermeddle in the affairs of any nation to prevent amendment and reform. The evil and malignity in both cases were precisely the same. True it was, that the popular assembly had declared their spirit and object more openly. But the assembly at Laybach had not less plainly dictated their wishes and intentions—and to us as well as to other nations—to prevent our amending or reforming our government. He did assert, without wishing to excite war, that the allied powers had given just cause of war by their declaration. They who invaded the security of a nation did, in effect, make war against it. The differences in that House, respecting the decree of the 19th of November, was not as to its character and effect, but as to the propriety of requiring an explanation previously to going to war. Mr. Fox had argued, that if the decree could be explained, refuted, or repealed, war would become unnecessary; but if it were not so explained, refuted, or repealed, a war would be just and necessary. It was not, therefore, because he denied the aggressive character of the decree, that Mr. Fox had opposed the war, but because no opportunity for explanation had been given, and because no war should be rushed into, until every fair means of preserving peace should have been exhausted: "Justum bellum quibus necessarium, et pia arma quibus nisi in armis nulla relinquitur spes." It had been said by an ancient historian, that if one looked at the preambles to the proscriptions during the dictatorships and triumvirates in Rome, he would almost imagine that nothing could be more just than those proscriptions. The preambles contained, in fact, most specious reasons, most moral arguments—almost as moral as the arguments of the Holy Alliance—for the murder of innocent and patriotic men. He who read them might imagine that Marius had been a teacher of ethics, and Scylla a model of humanity. So might men now suppose, from their declarations and professions, that those who had perpetrated the partition of Poland had been eminent patrons of national morality. In 1772, when the first partition had been made, the reasons assigned for the necessity were, that anarchy and disorder had prevailed in Poland, and were propagated in the neighbouring states. To put an end to this evil, the only means discovered were, that the neighbouring states should take each a slice of the territory. The generous lovers of order and peace yielded to this necessity, and shared Poland among them. In 1791, a regular constitution had been established. There was an hereditary monarch; there were two Houses of Parliament; the *veto* of the king had been most properly abolished. What course did the empress Catharine, that guardian of the rights of mankind, take then? She published a manifesto, declaring that she would stand up against innovation, and in defence of the ancient liberties of Poland. The king of Prussia had recognised the hereditary monarchy, the two houses of legislature, and the other improvements of the Polish government; he had entered into an alliance, offensive and defensive, with Poland; yet next year he marched a body of soldiers into Great Prussia, declaring that he would put an end to the anarchy and jacobinism which prevailed there. In 1795, it was found that the principles of political philanthropy could not be supported without the annihilation of the republics. The neighbouring sovereigns were obliged to divide Poland into three parts, and to leave none to the abuse of the Poles. The diet of Poland assembled at Grodno, and, protected by 100,000 Russian soldiers, subscribed their names to the surrender of their existence as a nation—a deed which no force should have compelled them to do if they had had a thousand lives. The execration of mankind was due to them; but to the authors of the force applied to them, and of the partition of their country, terms were due which he could not venture to use in that House.

The hostilities with which Naples was threatened were, it was confessed, undertaken upon peculiar and extraordinary grounds: it was a war that could not be justified upon any of the usual principles by which the affairs of nations were directed. There had been no direct offence—no infraction of the rights of any other state on the part of the Neapolitan government. "Non hic agitur de vectigalibus, de sociorum injuriis, sed de libertate humanæ gentis, de libertate nostra." What must be our own condition, if new principles like these were to be sanctioned and adopted into the policy of the greater states? He would say at once, that Europe could not retain its civilization, nor the different members of it their independence, in security one hour, if such a system were introduced. Prince Metternich himself could not be rendered so insensible to the natural operation of moral causes as not to see that, should the success of the allied armies be as complete as their own predictions would represent it to be certain, there must still remain a sense of indignation; that subsequent results must be yet apprehended; and that after they should have degraded a sovereign into a vassal, the empty decoration of the kingly title would scarcely serve to accomplish him as the instrument of their purposes. Was it expected that the present king of Naples could be so bound as that he should never enter into a treaty containing provisions utterly contrary to those which he might be induced to subscribe under the influence of compulsion? Let the House look at the character of those treaties which had succeeded each other, since it was vainly hoped that the treaty of Westphalia had fixed the balance of power on a stable foundation in Europe. As long as men continued men—as long as they retained human feelings in their hearts—so long as they were not a *caput mortuum* in the hands of despots, such changes and revocations would take place. He should like to hear from the noble lord what was the security contemplated by him and his colleagues against the entire absorption of Italy under the Austrian yoke. If such an event should occur, was it not likely that Russia would think it necessary that she should be indemnified by the possession of Gallicia and Romania? It was not even impossible that indemnity should be found in the north of Germany, or in his majesty's patrimonial dominions. A circumstance not dissimilar to this had already taken place in a former instance. It might occur as one of the results of that balanced system of power which had been so often and loudly eulogised, that the prince, who had been among the first to admit foreign troops into his dominions, should ultimately have to forfeit his foreign inheritance.

Much had been said on the subject of the right of vicinage; it was thrown as a subsidiary though important weight into the scale; and in this view he should submit a few observations respecting it. In the treaty of Vienna, the only danger explicitly declared with regard to Naples, as a danger which required certain guards and cautions, was that of the Neapolitan government adopting institutions subversive of monarchy, or measures hostile to the repose and interests of neighbouring powers. This was not to demand security for crushing the designs of the Carbonari; this was not pointed against the Spanish constitution. He feared that its object was, to prevent the slightest relaxation of a stern military despotism; and that, however obscurely expressed, we might regard the proceedings in Italy as only giving effect to intentions then entertained. It was well known by those at all acquainted with the actual state of Naples, and the condition of the Neapolitan people, that one of the heaviest grievances suffered in that country was arbitrary imprisonment. Some of the first families in Naples had felt the weight of this monstrous injustice. Allowing himself for a moment to suppose that a law equivalent to that of our Habeas Corpus had been introduced, or that a promise of what was tantamount to so great a blessing had been held out to the people, would not this have filled the people with delight—would it not have been viewed as one of the best securities on which their individual comfort and freedom could be made to rest? On the other side they could see nothing, under the yoke of Austria they could feel and dread nothing, but a continued military and foreign despotism. When the people of Naples therefore prepared to defend themselves against the united invasion of the allied powers, they were resisting an aggression made, not upon any doubtful political principles reduced to dangerous practice—not upon the new constitution of Spain—not upon any wild or impracticable mode of government, suggested in the ardour of their imaginations to men unskilled in human nature, or in the diversity of human action; but it was an open war on liberty itself, even under its best regulated form. What was it that the allied powers had combined their efforts to put down? What had the people of Naples hitherto done to show themselves unworthy of that freedom to which they aspired? Neither the anarchy which followed licentiousness, nor the military government which was its ordinary cure, had yet sprung up in the newly-cultivated soil. Nothing had yet appeared to show that the Neapolitans merited the censure of our great moral poet, always great, and not the least so in his political morality.

> "License they mean when they cry liberty;
> For who means that must first be wise
> and good."

The sin which they had committed was that of imitating our example—their unpardonable fault was, that they had endeavoured to establish amongst themselves a British constitution. No doubt this country was equally without excuse in the eyes of the allied sovereigns, for having set the example, and for still holding it forth to the world. It was indeed a lasting satire on their own power; it was of a nature to produce alarm in despotisms, and would, he hoped, continue till the latest period to tempt less fortunate nations to its imitation.

A practice had now for some time prevailed in the continental courts of setting forth to the public, as it accorded with their convenience, the views which they entertained at different periods, and the schemes which they were on the point of executing. Amongst the persons engaged in drawing up these papers was the celebrated M. Gentz, an individual whose talents and eloquence no man admired more than himself, but who had put the designs of the Austrian court in a most glaring light. In the "Austrian Observer" of the 10th of November last, a dissertation appeared, which seemed to inculcate nothing more nor less than that the rights of the armed triumvirate were superior to all other rights. It was said that the emperor of Austria would act in conformity with his own will, and that his will was, to perpetuate peace in Europe. Now, it would not, he believed, be considered fair amongst these royal gentlemen when they imposed treaties on a royal neighbour, if the latter afterwards set up the plea of duress as a justification for departing from such treaties. They were held to be just as binding as if they had originated in a spontaneous desire of making cessions. The principles assumed by the allied sovereigns admitted of no qualification; their authority, it was pretended, was supreme and uncontrollable. The right of interference claimed by this high magistracy—by this tribunal, composed as it were of the lords paramount of mankind, extended to the punishment of all rebellions. Let the House and let his majesty's ministers reflect a moment on the consequences that must inevitably flow from the admission of this doctrine. Unless they were prepared to taint the memory of their forefathers, and to confess themselves to be descended from a band of revolted slaves—if they would not apply to those mighty struggles by which our freedom has attained the name of popular usurpations, they would treat the doctrine with indignant contempt. No such principles had ever been recognised in this country; they were practically abjured from the earliest period when our government took a settled form. Since the reign of John, our constitution stood upon a basis which was the very reverse of those principles. When England's barons "clad in arms, and stern with conquest," tore from their reluctant monarch the great charter of our rights, did they imagine that their posterity would stigmatize them as rebels? Did the authors of the Revolution of 1688, or those who provided for the Protestant succession, ever entertain a fear that ministers of the House of Brunswick would brand similar events in other countries with the title of popular usurpation? He would appeal to every man who valued human freedom, or who had a drop of blood in his heart, to say whether he could endure the supposition. When the Petition of Right was at last sanctioned—when, after a tissue of feebleness and obstinacy, and a continued course of evasion, that instrument was ratified, our ancestors took care to record that it proceeded from the exertions of a parliament which was the true friend and representative of the people. If, however, he were called upon to refer to any act of the British parliament that combined in a peculiar degree the largest views of domestic policy with the noblest spirit of patriotism, he should undoubtedly select the statute of Habeas Corpus. Liberty of person had always been an original right under our constitution, but it was not previously secured. It was not at last secured until after a struggle of seventeen years duration; and, if the merit of it did really belong to lord Shaftesbury, as was sometimes asserted, it went far to redeem the faults of that great, though not blameless character. But the law of Habeas Corpus was evidently as perfect in its kind as legislative wisdom could make it; and although we had been doomed to witness its too frequent suspension, it still existed for the benefit of the present age, however disagreeable it had been to Charles 2nd, and notwithstanding that his brother told Barillon, the French ambassador, that it was a law too good to be carried into execution. The care taken in establishing the Protestant succession proved how seriously our ancestors had laboured to prevent future ministers from degrading and dishonouring the country, by a departure from those general principles to which they themselves adhered.

He recollected, when the noble lord came from the continent, after being present at some of those conferences which followed close on the convivial meetings of kings, then so much the subject of eulogy, that an hon. friend of his had suffered a rebuke from that noble lord, for having said that he apprehended that such meetings of monarchs would only tend to expose them to the influence of rash counsels, and induce them, in the heat of the moment, to take steps which no able statesman would dare to advise. He could not look on these *abouchements des Rois* in any other light than one of those drunken political dinners in this country, where the language more savoured of conviviality than prudence. The result of the first of these *abouchements*, in later days, was the dismemberment of Poland. The royal interview, which was the foundation of the Holy Alliance, gave birth to a production which surpassed most modern productions in the nonsense with which it was filled. It began with an assertion, that sovereigns previously had departed from the sacred rule of government laid down by the Gospel, as to restraining themselves from views of self-aggrandisement, and concluded with stating, that it was their determination now to follow up this principle strictly. These royal professors of theology and ethics had, alas, forgotten, that one of the first inferences to be drawn from the Gospel was, that slavery was not to be tolerated; that the history of Christianity proved that in the sight of God all men were equal; that the Gospel was first preached to the poor by instruments as poor as their hearers; and, what was most strange of all was, that they had shut their eyes against the conclusion, that as the Christian religion had been the means of rescuing all the Christian world from slavery, it ought not now to be made the pretext for subjugating all its professors to the arbitrary will of any two or three exalted individuals. One of the first of these *abouchements* recorded in modern history was that of Catherine de Medicis and Philip of Spain, held at Bayonne; the object of which was, to maintain ancient establishments against the innovations of that time —to put down the Protestants, who were then beginning to exercise the long-forgotten rights of human reason. But, did England make herself a party to the league? No! It was opposed by three illustrious princes, and the cause of Protestantism became at length triumphant. Those princes placed themselves at the head of that great movement of the human mind. Queen Elizabeth, Henry the 4th of France, and William the 3rd, all acted on the same magnanimous policy. The last was inferior in talents; but Elizabeth and Henry, the immortal chiefs of the cause, were perhaps the greatest cotemporary princes who ever reigned; and, what was not less singular, the woman endowed with a superior genius, and the man with those milder virtues which had procured him the well-merited name of "father of his country." Those virtues had unhappily not saved him from the dagger of an assassin; but the reign of our own princess was as happy as it was splendid. He knew not how to express his admiration when he contemplated her, at one time braving the thunders of the Vatican and the intrigues of the Jesuits, at another the arms of Spain; beset continually with dangers, and, though scarcely conscious of her own greatness, dying at last full of years and glory. There were not wanting persons, however, who had represented her as tearing her country from the Christian Church—as the head of an unnatural as well as unholy union, and as an object of general execration. Yet had it not been for her successful maintenance of the policy which she adopted, we might at this moment have been obliged to submit to arbitrary imprisonment, to torture, and might have been rendering forced obedience to a hated yoke. These might have been our inheritance, instead of the Habeas Corpus act, the Bill of Rights, the Protestant Succession, and all that genius and virtue which those measures had carried in their train. We might at this day have been sunk in the most abject slavery and superstition. He did not mean to compare the Neapolitan revolution with our own; but our own might have been prevented by a coalition similar to that with which Naples was threatened. Pretexts might have been found by the Messrs. Gentz of 1688, quite equal to those on which the interference with Naples was justified. He, who admired the talents of M. Gentz, could have suggested topics of equal plausibility, and calculated to have the same effect as those by which the noble lord had heartened the present despots. He might have talked of treacherous statesmen, of impious daughters, of rebellious subjects, of a clergy faithless to its own creed, of unlimited obedience, and of a mutinous army. What was thus said might also have been repeated, and applied to many transactions in Ireland and Scotland, in which the ancestors of several whom he then saw before him had been actively engaged. He was sure, whatever might be the result of this night's debate, whatever might be the numbers which would dissent from him in voting for his motion, that on this occasion he spoke more completely the sentiments of that House and the people than he had ever done on any former occasion. Whatever might be, to use a phrase of the noble lord opposite, the "technical doom" of the motion he had made, he hoped, at least, that Europe would understand that in this country all men concurred on the main point; and that the grave, the honest, and intelligent people of England viewed the present aggression against Naples with indignation and abhorrence. Feeling, however, that the expression of this sentiment had been, if not concealed, at least softened in the official language employed, he should move, "That an humble address be presented to his majesty, that he will be graciously pleased to give directions, that there be laid before this House, copies or extracts of such representations as have been made on the part of his majesty's government to the allied powers, respecting the interpretation given by them to the treaties subsisting between them and Great Britain, with reference to the right of general interference in the internal affairs of independent states, and respecting the measures proposed to be taken by them in the exercise of such right."

Lord *Castlereagh* observed, that in proceeding to examine some of the positions of the hon. and learned gentleman he was perfectly willing to join in many of the sentiments and general principles which he had laid down. His duty would be best discharged, however, by confining himself as strictly as the nature of the question would permit, to a discussion of those grounds which were immediately applicable to the vote to which the House would have to come. In the first place, then, he must say, that he could see no reason for the House to express any opinion at that moment, unless the state of Europe called for its interposition. It was not the practice of parliament to desire any disclosure of a pending negotiation with foreign powers; and as we were not principals in the negotiation alluded to, it would be as inconsistent with good faith as with delicacy to compel his majesty's ministers to make any further disclosures on that subject at present. If he should now offer any general observations, it would still be with the view of stripping the main point in question of that colouring which the brilliant talents of the hon. and learned gentleman had thrown over it. He was himself placed in a somewhat whimsical situation by the argument of the hon. and learned gentleman. We were now at the end of a long course of policy, with regard to which very different opinions had been expressed on the other side of the House. It was now strange to him to find his majesty's ministers censured for not having committed this government to a war with the greatest military powers in Europe. The hon. gentleman and his friends, when we were recently engaged in war with a great military despotism that had overrun every smaller state, and threatened the independence of the greatest, were perpetually recommending that England should rest upon its oars. Ministers were then asked, why they persevered in a fruitless contest; and were told that our only chance of safety consisted in husbanding our resources. Was it for them now to contend, that our resources were to be exposed for the sake of our moral duties? It was too much after all that he had heard from them on former occasions, after all that he had recently heard of the distressed state of the country, although he for one did not believe that our condition was such as not to enable us to support any just or necessary burthens; yet, when reduction of every kind, and especially of our army, had been called for again and again, it was too much, he repeated, to be told that the British government ought to dictate moral lessons to Europe. He must do the hon. and learned gentleman the justice to say that, whilst he exercised the right of a member of parliament freely to canvass the proceedings of foreign etates, he had abstained from all unjustifiable allusions to the personal character of their sovereign. Their ears had not been disgusted with such allusions; and he would say that no sovereigns were less deserving of any indecent attack than the two sovereigns who had been subjected to it in another place. No sovereign ruling over such extensive dominions as one of those illustrious persons, had ever gained a stronger title to estimation and respect. With regard to the alliance on which so many strictures had been passed, he was not at all disposed to shrink from its defence. It was not surprising that hon. gentlemen on the other side should feel a little sore at an alliance which had disappointed all their lamentable forebodings. It was, perhaps, too much for human nature to behold with patience, what, so long as it should endure, must be a monument of their folly. This alliance, which he hoped would long continue to cement the peace of Europe, had proved to demonstration the absurdity of those prophecies in which the hon. gentlemen opposite had indulged, and of the schemes of policy which they had recommended. The people of England whose courage had nerved the arm of government in its military exertions, would not easily be induced to think that the views on which that alliance was formed had been departed from. It was but an act of justice to others to say, and he said it with the utmost solemnity, that as far as his own knowledge extended, and as far as his means which were derived from personal and confidential communications enabled him to judge, there had not been since the year 1814, the slightest indication on the part of any of the allied powers, of a wish for territorial aggrandizement.

Now, if he could declare that this opinion was founded upon his knowledge of the allied powers, the next question for the House to consider was, whether there was any thing in their conduct towards Naples which showed that they had departed from their former principles? From information which had been transmitted to him by persons residing on the continent, as well as from confidential communications which he had received from the cabinets of the allied powers, he was fully of opinion that they were sincere in the application of those principles to Italy. That, however, was a point which fortunately for Europe, could be ascertained by better criteria than personal assertions, or cabinet communications. It was one of the virtues of that alliance so vehemently decried by the hon. gentleman opposite, that it was hardly possible for the human mind to conceive any system of territorial aggrandizement which did not find in it a counteraction to its own impurity. With regard to Italy in particular, any man who knew any thing of the rudiments of the balance of power must see that Austria could not, if she acted consistently with her own safety and policy, take any steps toward a permanent occupation of Naples by a military force. If Austria wished to obtain territorial aggrandizement at the expense of Naples, she was certain to meet with immediate opposition, both from Russia and France, not to say any thing of Sardinia, and the countries in the north of Italy, through which her forces were now allowed to march by special permission. The granting of that permission proved most indisputably that Austria, in marching to Naples, was not even suspected of aiming at territorial aggrandizement. The real object for which she was moving her forces in that direction was of a very different nature, and one which he should explain in another part of his speech. At present he should content himself with remarking, that it was most improper to compare the expedition against Naples with that which had been sent some years ago against Poland; and the hon. and learned gentleman, in making the comparison, must have been aware that the cases were most dissimilar in point of fact, and did not bear the slightest analogy the one to the other.

With regard to the difference of principle which existed between the allied powers and the English government, he must take the liberty of observing, that the paper to which the English government had replied was by no means the final paper of the allied sovereigns on that important and difficult question, how far the interference of one government in the regulation of the internal administration of another is or is not a justifiable measure. That paper was a confidential document addressed to the different courts of Europe, informing them of the discussions that were then carried on at Troppau, but was not a document stating the manner in which those discussions had terminated. Indeed, it was a notorious fact, that the minister of England and the minister of France took no share whatsoever in them. The minister of England was indeed there, to notice any territorial aggrandizement, if any thing of that kind had been contemplated; but he was not there to commit his government by any acts or opinions of his own. The House would therefore see that it would be doing an act of injustice to the allied powers, if it assumed as fact, that the principles contained in that paper were published by them after a calm and deliberate consideration of their tendency. The English government, however, would have abandoned a duty which it owed to itself, to the country, and to the world, if it had not, when those principles were submitted to its notice, explicitly declared its dissent from them. The House would also be doing as gross an act of injustice towards ministers, if it did not give them credit for being sincere in that declaration, as it would be doing to the allied sovereigns in assuming that the paper which had caused that declaration was the final manifesto of their intentions. The allied powers had sent to the British government in order to obtain their acquiescence in it. The British government replied, that they could not acquiesce in the doctrines which it contained. If under such circumstances the allied powers had made answer, "You have pledged yourselves to the same principles that we have, and we call upon you to redeem that pledge," then the House might have some reason to doubt the sincerity of ministers, and might be justified in entering into a full examination of their conduct. But, when no such call had been made by the allied powers—when a direct negative had been given to the principles contained in their state-paper, recognised though they were, according to their statement, by the treaty of Paris in the first instance, and the treaties at Aix la Chapelle in the second, he did conceive that the House would feel it to be its duty not to accelerate the inquiry proposed, nor to neglect the other interests of the country, for the mere purpose of gratifying the hon. and learned gentleman. Whatever that hon. and learned gentleman might do, he was sure that the courts of the three sovereigns would do full justice to the British government, and would not at any rate impute to it a want of explicitness.

The noble lord then proceeded to observe, that he certainly was of opinion, that if the principle were once admitted that one government had a right to interfere in the domestic economy of another, whenever a revolution was effected displeasing to it, the principle must apply to this country as well as to any other; and as he could not admit the right of any foreign country to interfere with the administration of this country, or to express its satisfaction or dissatisfaction at any of its internal changes or arrangements; and as, in addition to that, he could not for one moment contemplate the possibility of any foreign potentate claiming a right to land his troops in this country without the permission of parliament, he apprehended that the principle asserted in the paper of the allied sovereigns was carried further than was consistent with prudence and sound policy. The British government had therefore been driven to lay down a general principle upon this point, but not without an exception. The hon. and learned gentleman had not attacked that exception; on the contrary, he had treated it with more fairness than it had met with in another place, and had founded upon other grounds his bill of indictment against his (lord C's.) colleagues on the continent. And here he begged leave to assure the hon. and learned gentleman that he did not think that he would be able to disturb the harmony which existed among them, notwithstanding the efforts which he had that night made for that purpose. Indeed, he could not help suspecting that the hon. and learned gentleman had rather been more civil than he had originally intended to the English circular, in order that he might show more distinctly how much it differed from prince Metternich's manifesto. But, be that as it might, he must still maintain, that all states had a right to deliver their opinion, provided they delivered it with temper, upon any events that were passing in the world. There was, however, a very material difference in the manner of delivering such opinions; for it was one thing for a statesman to deliver it formally, either in his place in parliament, or in the course of his diplomatic functions, and quite another thing for him to deliver it as a remonstrance and representation between state and state. It was a new doctrine, and one that he was unaccustomed to hear from gentlemen on that side of the House, that we were to remonstrate with every government guilty of an act of injustice: that we were to rush forward as a divinity to cut the Gordian knot, whenever any act of seeming oppression was in contemplation. Surely, the hon. gentlemen were not now going to contend, that, when we chose to exert ourselves, we could come forward with such talismanic effect as would compel all the great military powers of the continent to bow before us. If we wished to live in peace, there was not a truth more obvious than that this country ought to think twice before it took any steps to commit itself. He was not one who thought meanly either of the resources, of the country, or of the influence which it possessed when it thought proper to exert it. But if we did speak, we ought to speak with effect; and he should deem it most pusillanimous conduct on our part, if, after interfering in a question of this nature, we limited our interference to the mere delivery of a scroll of paper, and did not follow it up with some more effectual measures. Were we to turn itinerant preachers of morality to the other nations of Europe, and to follow up the doctrines which we preached by nothing else but what was contained in our state papers? Nothing would compromise the safety of the nation, and the great name which it had acquired in foreign countries, so much as such a measure. The hon. and learned gentleman might smile at this assertion, but he must be aware that all the declamations which he had now for some years been in the habit of making against the late peace, had not shaken our character in the eyes of the nations of the continent; and that in spite of all the declamations which he might hereafter make on the same subject, we should still continue to enjoy the same high character, if we persevered during peace in the same career that we had so gloriously pursued during a time of war.

Considering, therefore, the relative situation of England and of Naples at the present juncture, he must say, that even if he had felt, which he did not, that Austria had been committing an act of unjust aggression upon Naples, he should not have stated that feeling in a remonstrance or state paper; because he should have deemed it necessary to follow that measure up by others of a harsher nature. The language which he had held to Naples was precisely the same as that which he had held to Austria. He had explained the same principles to count Ludolph as he had to the court of Austria. He had not, indeed, gone out of his way to write a declaration of them to the government of Naples, but he had not concealed them from its agents here. For though the British government had refused to receive the prince Cimitelli in his public capacity as minister of Naples, he (lord C.) had not refused to show those attentions, and to make those communications to that individual, in his private capacity which his high rank no less than the respectability of his personal character so justly demanded. He had never concealed from prince Cimitelli the wish of the British government to know more of the circumstances of the revolution at Naples before it fixed upon it the formal seal of its sanction. If the hon. and learned gentleman supposed that this declaration had been productive of umbrage between the English and Neapolitan governments, he laboured under considerable mistake. The Neapolitan government would have been very glad to have had its new minister received; but the refusal to receive him had not caused any interruption of friendship between the two states; on the contrary, count Ludolph, who had resigned his papers, was requested to re-assume them, and the diplomatic relations of the two countries remained on the same footing that they were before the revolution.

The noble lord then shortly recapitulated some of his former arguments. He had distinctly told the House, that looking from the first upon this transaction as one that involved great interests, it had appeared to him that it did not require us to wait the decision of another country. We did intimate in the first instance to Austria, because she was the party most interested in the transaction, that whatever influence the Neapolitan revolution might have upon her position, upon ours it had no bearing that would justify us in interfering to counteract it. We admitted that the situation of Austria was very different from the situation of England, but we did not decide that, because we had not a right to interfere, Austria had a right, and ought to interfere. The question with regard to Austria divided itself into one of right, and one of expediency: for the difficulty of it did not consist so much in the means to be employed for the occupation of Naples, as in the manner in which the elements of government were to be compounded after its occupations, so as to secure its future independence. For honourable members were not to suppose that it was in contemplation to quarter an Austrian garrison for a perpetuity in Naples. Far from it: those who did so, laboured under very erroneous impressions, and did great injustice to the allied sovereigns, who were acting in this transaction, under the most painful circumstances, for the general benefit of mankind. He was ready to admit that great difficulty would arise after the occupation of Naples with regard to the manner in which it was hereafter to be governed; and that being his view of the case, nothing could be more impolitic in a British minister than to involve himself and his country in it. Assuming, for the sake of argument, that Austria had a right to go to war, still he had never given her any intimation that he wished that she should go to war. On the contrary, he had always held out to the allied sovereigns, that Great Britain was not at all interested in the transaction, and had so far separated herself from it as to be no party to it whatsoever.

The noble lord then observed, that the hon. and learned gentleman seemed to him to have argued the whole question upon an unjust and unfounded prejudice; he had not argued it upon general grounds of policy or expediency, but had endeavoured to raise a horror in that House, and a detestation throughout the country, against the late government of Naples, by representing it of a nature so horrible, that the people, in self-defence, were obliged to destroy it; and by thence deducing, as a conclusion, that the destruction of it could not be formidable to the Austrians. As far as his information went, this was an unjust, unfounded, and cruel misrepresentation of the fact. Without meaning any offence to the sovereign who now sat upon the throne of Spain, he must say, that there was a wide difference between the circumstances which had led to the Spanish and those which had led to the Neapolitan revolution. For the Spanish revolution there were several plausible grounds. The Spaniards had formerly been in possession of a free constitution, and by their exertions during the late war, had again shown themselves worthy to enjoy it. They had obtained one by their blood and treasure, and Ferdinand had just promised to maintain it; and then, after destroying it, he held out hopes to the nation that he would give them another. This he had failed to do. The army, that was instrumental in Spain to the revolution, was extremely ill paid, was discontented, and, for some time previous to it, had been in a state of open mutiny. The case in Naples was very different. As far as he was acquainted with that country, it enjoyed the blessings of a free country, though it was not in the possession of a representative government. He deprecated, however, the doctrine, that the subjects of governments which did not possess a representative system were justified in throwing off their allegiance and resorting to arms in order to obtain one. Such an attempt to force the liberties of mankind was the very last method of which he should advise the adoption. A representative form of government, founded on the model of the British constitution, had been introduced into Sicily under the auspices of lord W. Bentinck, but had not been productive of the advantages which had been anticipated. In short, it had entirely failed, and therefore it was too much to say, that a representative government was sure to put a stop to all the fraud, artifice, and oppression of a despotic power. But, even if it were likely to be attended with such beneficial results, he must look upon the introduction of it by an armed force as most injurious. To hold any other doctrine was to patronise principles calculated to loosen all the connexions of society, and to destroy all the security of social existence.

He must condemn as untrue and unjust every representation that the government lately overthrown at Naples was arbitrary and tyrannical. In support of this assertion, he asked permission to read extracts from some letters which he had received, not as official documents, or as public instruments of authority, but as opinions much better expressed than he could express them himself, and upon which the impressions on his mind were founded. The first letter which he should read to the House was dated in the March of last year, the revolution having taken place in the July following, and he would venture to say, that if any man had at that time asked any of the intelligent travellers then residing at Naples, what country in Europe they thought to be the least likely to admit a revolution, they would have replied, the kingdom of Naples. The letter was dated on the 31st of March, and the writer in speaking of those individuals who were looking with anxiety to the establishment of a representative government, used the following language:—"The more moderate men of this party admit the general prosperity of the country, and the liberality of the views of those by whom it is governed, and admit that there is a degree of liberty greater than any ever remembered here before. The existing government had done a great deal for the benefit of the nation. The privileges granted to the communes of fixing among themselves their quota of taxes, the annual departmental assemblies for the purpose of remonstrating against grievances, and pointing out such measures as were necessary to the good of the state"—the abolition of the feudal system and all its concomitant abuses—the rendering of all men equal in the eye of the law, the establishment of a new code, and the reformation of the tribunals—all these were considered as the first steps to liberal opinions, and as the foundation on which something better might be built when the nation had become prepared for the benefits of a free constitution." He would next read an extract from another letter dated 5th of July, just three days after the revolution had been effected—not a shadow of blame has been thrown upon the existing government by the proclamation of general Pepe: a diminution of half the duty on salt is the only benefit held out to the people. So mild and paternal a government was never before known in these kingdoms; with less security and more distrust the result would have been very different. An excess of liberality had, however, led to the same end in Naples as an excess of severity had elsewhere. The revolution was owing to the union between the troops and the Carbonari. The Carbonari was a sect which owed its origin to the late government, and was encouraged at its outset as a means of sapping and undermining the colossal power of France."

With regard to a proclamation which was said to have been issued by the king of Naples, he declared it to be a false document. He ought, in justice to say that from all he had heard of his character, he did not believe there was any sovereign more anxious to do justice to the sentiments which reigned in the breasts of his people. Much had been said of the arrangements made by the ministers upon the cession of Sicily to the king of Naples, at the peace. Now, these arrangements had been greatly misunderstood. They were, indeed, simply these:—the king of Naples was informed, that so long as England had stood in the situation of protector of Sicily, so long had she been compelled to mix herself up with the administration of its internal affairs, but that the moment the peace had enabled her to withdraw her armies from Sicily, from that moment she must be considered as withdrawing also her counsels. That declaration was, however, qualified by two conditions: the first was, that after the long period during which the English had occupied Sicily, they were entitled to feel such an interest in its situation as to require that the people would not be placed in a less favourable situation for the enjoyment of their liberties than they were placed in at the time when England took them under her protection: the other condition was, that no individual who had acted in aid of the British authorities should be exposed to any persecution or disfavour for their past acts. With these declarations and qualifications, the English resigned the government of Sicily; and he must say, in justice to the king of Naples, that, from 1816 up to the present period, he never heard a complaint from a single Sicilian against the government of that sovereign. That monarch had shown, so far as he was concerned, the most liberal anxiety to promote the good of his people; and had done nothing which could justify a desire to have his government put down by force and by a sudden and violent act of an armed body.

He would now come to that part of the hon. and learned gentleman's speech which comprehended the late transactions at Naples; and upon these he must again say it was Austria, and not England, which was passing judgment, and, therefore, when these events were to be considered as involving a part of European policy, it should be recollected that it was not what a British, but what an Austrian minister might think of them that they ought to consider. Before he, therefore, was called upon to stand forth as a mediator for Naples with the other powers of Europe, he was bound to consider what answer he could give to the statement of an Austrian minister. It was in vain for the hon. and learned gentleman to make Italy the theme of his eloquence. He was not loose upon that question; he should recollect that existing treaties, sanctioned by parliament, were in force for the regulation of the states of Italy as they stood, and not as the hon. and learned gentleman seemed to think they ought to stand. The hon. gentlemen opposite would in their pathetic declamations, represent his majesty's ministers as concurring with the allied sovereigns in putting down the free and independent republics of Italy; they would represent the government as subverting the free states of that fine country, forgetting, during all these speeches, that England found Italy not in possesion of those free republics, but without them. It was most singular that the hon. gentlemen should have been silent at the actual time when the French overran and annihilated these very states. When the French put down Venice and Genoa, not a voice was raised in behalf of these republics by the gentlemen opposite. All their anxiety was then to sue for peace with the great Napoleon, the grand subverter of the independence of free states. Not a word was uttered at that period; but all the efforts of the gentlemen opposite were directed to one point—that of unnerving the efforts of government, and compelling a peace with Buonapartè. Now their whole efforts were, to excite a complaint against congress, because it did not at once put down the government which Buonapartè had raised in Italy, amid their silent approbation. Reverting to what might be the answer of the Austrian minister to the interposition of England on the present occasion, it would be difficult to explain away the just apprehension which the acts of the Carbonari were calculated to excite. The hon. and learned gentlemen asked, what proof was there of this danger from the power of the Carbonari? He thought he could give satisfactory proof of the existence of that danger. The Carbonari were a sect, whose operations were not confined to Naples, but extended to other parts of Europe. The cause of revolution was not with them local; it was the cause of Europe. They dictated to the prince regent of Naples, as well as to the parliament. They controlled both. It was idle to say that they only required a free constitution for Naples: their aim was not Naples, but the consolidation of all Italy, under some form of government which they had not yet modelled. And was not a conspiracy having such an object in view, hatched within the territory of Austria, and acting with others in concert out of it, a ground of apprehension against which an Austrian minister might feel himself justly called upon to interfere? It was in vain, then, to urge that England should interpose to prevent Austria from guarding herself against the machinations of the Carbonari, whose designs were evidently calculated to the overthrow of the existing frame of government in Italy. The hon. and learned gentleman might declaim in fine language about the principles of liberty which England ought to cultivate in Naples, and might endeavour to reconcile the ears of his audience to such a tone of declamation; but the people of England would see through the delusion. Reverting again to these Carbonari—their strength amounted to hundreds of thousands; and he knew positively, that at the moment when the late events were going on in Naples, a simultaneous plan was matured at the other extremity, namely, in the north of Italy, at Bologna. Yet this was the sect into whose hands the consolidation of Italy was to be intrusted, and who were to rule over it in future as they now did over the parliament at Naples. Under such circumstances, he trusted England would not be called upon to interfere. Austria was engaged in her present course under the jealous supervision of the other powers whose interest it especially was that she should not aggrandize herself by any proceeding now pending, but simply guard herself against the intrigues of the sect to which he had alluded. The revolution against which Austria had now armed, had been brought about by fraud and secrecy, upon an organized plan between the military and the Carbonari, got up in the style of the worst period of the French Revolution. It was so completely managed by these means that it succeeded, although its commencement was by the act of 150 dragoons, three lieutenants of police and one priest. He could not consent with the hon. and learned gentleman to make such acts the subject of his unqualified admiration; for he thought no nation could conduct its affairs with advantage to itself or tranquillity to its neighbours, if its sovereign was to be surprised by a *coup de main* into any act prepared in this manner. It was ridiculous to talk of the time of deliberation afforded the king of Naples by this sect to frame a constitution. That monarch in his declaration, bearing date the 2nd of July, promised to give the people a constitution within eight days—a time surely not too long for preparing such an act: but the very next day his palace was attacked by a mob, who insisted upon an immediate proclamation of a constitution. The sovereign thus attacked, and allowed not a moment for deliberation, was advised by his council to tender the Spanish constitution—not one line of which had ever been read by any member of that council, by whom it was now, in the emergency of the moment, recommended as a model for the king of Naples to adopt. Surely, under such circumstances, the British government were not much to blame if they hesitated to recognize an authority thus violently imposed upon a sovereign prince! The people of England would not be deterred by the false glare of the hon. and learned gentleman's eloquence, from countenancing their government in the pursuit of a line of constitutional conduct instead of one pointed out by the new-fangled doctrines propounded by the Carbonari. The people would see through the delusion. They knew that all was not gold that glittered; and that a constitution was not free, because its advocates built it upon the ruins of an established government. They would feel that it was not because it grew out of confusion, which was the greatest of all tyrannies, that therefore it should immediately be cried up as a paragon of constitutional excellence.

The noble lord then proceeded to comment upon the manner in which the new authorities of Naples had treated the people of Sicily. If the people of Naples were free to choose their own form of government, the gentlemen opposite would hardly deny that the Sicilians were enentitled to the same privilege. Now, what was the conduct of the Neapolitan Carbonari to the people of Sicily? After a great effusion of blood, deputies were sent from Sicily to Naples, and conditions agreed upon and mutually ratified. The principal terms were, that both countries should be governed by the same king, but that each should have the formation of its own representation in parliament. Yet, after Sicily had capitulated upon these terms with this model of an excellent government at Naples, the latter broke the treaty, disarmed the people, and garrisoned their towns. He concluded by repeating, that England had as yet taken no part in these proceedings, and he trusted that ministers would not now be called upon to take any part in them after what he had said respecting Austria. If she were called on, she must be prepared to enforce her remonstrance; and he trusted that this was not a situation in which it would be advisable to place his majesty's ministers at this crisis. At all times he should be ready to afford every explanation respecting the part which his majesty's government had taken in the affairs of the continent.

Sir *Robert Wilson* said, that the noble lord had not in his long harangue shown himself to be any great economist of time at least, for he had entered largely into topics quite extraneous from the present debate. He should not follow the noble lord into these wanderings, but he must remove one great misapprehension into which he appeared to have fallen. The noble lord had directed it against his hon. and learned friend as a matter of reproach, that he was struggling to hasten this country into a war with Austria, and to blame his majesty's ministers for not rushing into the arms of the Carbonari. His hon. and learned friend had been urging no such thing, but quite the contrary, for his whole argument went to recommend a line of policy which, by the interposition of ministers in a firm but amicable manner, would, in all probability, prevent the ultimate recurrence of a war under circumstances of great disadvantage to the country. In commenting upon certain parts of the noble lord's speech, he must observe that he was not much predisposed to attend to the sincerity of the declarations of negotiators, as drawn from their documents and explained by themselves; and he would relate an anecdote in justification of his jealousy. In Paris, in 1814, he had conversed with a Russian minister and general of considerable eminence. That minister then told him, that a treaty had been just signed, in which the noble lord opposite had stipulated with the allies for the occupation of France by foreign and British troops for a term of years, and also for the determined maintenance of the Bourbon dynasty. He (sir R. Wilson) having reason to know the avowed sentiments of some of the ministers, not to dictate any government to France, against the will of the people, and not being then so well acquainted with the placid disposition of that House towards the treaties brought down to it by his majesty's ministers, at once affirmed that England could be no party to, or guarantee of such a treaty, for that the principle it asserted could never be recognized by ministers who would have to submit it to a British parliament. The Russian minister at once replied that the principle had been at once admitted by the noble lord opposite; there never had been any difficulty about that; the only deliberation had been as to the wording of it for the ear of parliament. If the policy of the British ministers in their recent communications with foreign powers was honest, why insert such a passage as this in the letter of instructions to the British ministers abroad? Why declare, if they intended to be so neutral, that "they fully admitted, that other European states, and especially Austria and the Italian powers, might feel themselves differently circumstanced," and profess that it was "not their purpose to prejudge the question, as it might affect them, or to interfere with the course which such states might think fit to adopt, with a view to their own security," and then go on to say, "it should be clearly understood that no government can be more prepared than the British government is, to uphold the right of any state or states to interfere, when their own immediate security or essential interests call for it;" and again, "you will take care, however, in making such communication, to justice in the name of your government to the purity of intention which has, no doubt, actuated these august courts in the adoption of the course of measures which they are pursuing." Was that the language of ministers who sought to restrain the power of Austria from crushing the infant liberties of Naples? On the subject of the constitution, which was called for by the people of Naples, he had only to say that the necessity of it had been long admitted. How, then, could the government of Naples have been taken by surprise? He had himself been told by the present king of Naples, when that monarch was excluded from his dominions, that the moment he became repossessed of them, he would give his people the constitution they desired. The late king of Naples, Murat, had also told him that he saw a constitution could no longer be withheld from the people, and added his anxiety to give them a constitutional government; but foreseeing that by so doing he must fall into the disfavour of either Austria or France, just as their respective interests preponderated in Italy, he earnestly inquired whether he could reckon upon having the support of England in maintaining a constitutional government. That unhappy king foresaw the danger of his attempt, if he could not rely upon England for support; he foresaw, and to him (sir R. Wilson) had often expressed it, that the time might come when he should have to defend by the sword what that sword had won. And he also, with a prophetic truth, declared his belief of the near connexion between his deposition from the throne of Naples and his grave. When he alluded to that sad catastrophe, he had to ask a question of the noble lord opposite relative to the circumstances attending the last act of the tragedy in which king Murat was the victim, and the answer to which, he earnestly hoped, would remove one imputation from the character of this country. He had heard it reported, that after he landed in Calabria, a British accredited agent had assisted at the council which determined that he should be tried before a military commission and suffer the sentence, that British agent not only not protesting against, but sanctioning the proceeding. He wished to know whether this was the fact.

Lord *Castlereagh* assured the gallant general, that he had never heard a word about such a circumstance before.

Sir *R. Wilson* begged to assure the noble lord that he rejoiced at this removal of such an imputation from the character of the country: he had felt it his duty to inquire respecting it thus publicly, because it had been communicated to him as a fact from very high authority, and because he was anxious, if it could be contradicted, that that contradiction should be most complete. The operations of the Carbonari were said to be secret: that was not extraordinary when they knew the powerful opponents with whom they had to combat. They were said to be numerous, and to amount to hundreds of thousands:—so they ought, if their object was the assertion of their liberties; and their numbers would soon, he trusted, become millions, if liberty were to be assailed by despotism. The gallant member then took a rapid review of the acts which at different periods of their respective reigns had marked the career of the allied sovereigns, and rendered their present indignation at a military revolution, effected suddenly and secretly, most extraordinary. The present emperor of Russia had ascended the throne by the means of a secret military revolution; and yet no complaint was made of his accession under such circumstances. Had not another of these sovereigns promoted the defection of general Yorck from his allegiance? And did not Austria induce the Saxon army to desert the colours of their sovereign in the battle of Leipsic? It was singular that these sovereigns, who had all in their turn promoted disaffection, should now threaten to decimate troops who only followed their example. But how did the present conduct of these allies accord with what they had done at Vienna, when, on the 12th of May, 1815, the ministers of the allied powers drew up a declaration, which they published to Europe, stating, "that the governments they represented knew too well the principles which should guide them in their relations with an independent country, to attempt any imposition of laws upon it, to meddle with its internal affairs, to assign to it any form of government, or to give rulers in compliance with the interests or passions of its neighbours." His own opinion upon the transactions of Naples was, that the Neapolitans must ultimately succeed: they had with them in their struggle the cordial feelings of the generous and the brave, who loved freedom in every part of the earth; and they had at the outset three advantages; 1st, the occupation of Naples; 2ndly, the dislodgement of the strongest of their enemies; and 3dly, the possession of Sicily. That they had every thing to struggle for they must feel; and that they would struggle for their liberties he was satisfied. As a friend of freedom, he rejoiced at the struggle of the Neapolitans, and could not but anticipate from it eventual success, provided the people were determined to persevere.

Mr. *Wilberforce* observed, that whether the constitution now established at Naples, in the way stated by his noble friend, was or was not likely to prove a good one, was not the question for consideration. His noble friend in his state paper had very properly divided the subject into two parts. The first, containing certain general principles; and the second, referring to the application of those principles. His noble friend had confined his argument to the latter subject; but the first part bore on his mind as being infinitely more important. That the three greatest military powers of Europe should assume to themselves the right of saying to other states—"You shall form no constitution, except that which we please to sanction," was a principle hostile to every idea of liberty. He could scarcely conceive any principle in itself so unjust or so abominable. His noble friend had distinctly set forth, in the state paper which had been laid on the table, that this principle was not only contrary to the constitution of the country, but to the general laws of nations; but still he felt indebted to his hon. and learned friend for bringing this question under consideration, in order that the principle to which he had adverted might receive the utter reprobation of the House. His noble friend would allow him to state, that it might be supposed, when those foreign powers made such a proposition to this court as was contained in their declaration, that they looked upon it as a principle which we were willing to adopt. It was sufficient to create jealousy in the mind of every man, when it was stated that the courts of London and Paris were likely to agree in the principle, and to tolerate the acts that would probably flow from it. What the hon. general had said, as well as what they knew of the state of Europe, might lead them to suppose that Europe would be a scene of trouble for some time to come. They knew that some monarchs, who, in their time of distress and danger, had held out to their subjects the expectation of a free constitution, had not effected that object. Now, when such a principle as this was publicly stated to their people—when it was said that no constitution should exist but that which they sanctioned, was it not likely that those people would begin to take the alarm, and feel their high spirits excited to action, by the exertions of individuals in other countries to obtain their liberties? This undoubtedly might be the case and war being once commenced, they all knew how easy it was to continue it. In such a state of things, it became the more necessary to object to such a principle, because the public acts of monarchs so powerful were in the highest degree important, and the promulgation by them of such a doctrine was calculated to fill with terror the mind of every man who cherished the love of national liberty. Let the House look to the fate of Poland. When the revolution took place in that country, it was eulogised as an event which Heaven itself might stoop down to admire. But Poland was afterwards conquered and partitioned; and he drew the attention of the House to the circumstance, in order to guard against a position which his noble friend, throughout his speech, had insisted on. His noble friend had argued, that it was not likely that the other powers would allow any one of their number to aggrandize itself. But gentlemen well knew that each monarch had a way of taking a slice. Each might receive a share; and thus the ruin of any country, as was the case with Poland, might be effected. He would say, that the liberties of England were not safe if such a doctrine were admitted. Neither could true morality nor true religion flourish, where the people were not allowed, in the strongest manner, to express their dissent from it. His noble friend had spoken of the manner in which the Neapolitan revolution had been effected, in terms of strong reprobation; but he had admitted that there was nothing in the case that called for our interference. This country had been so long in the school of suffering, her efforts had been so tremendous, that nothing ought to induce her again to plunge in war, except the most essential and indispensable necessity. His noble friend, in speaking of the conduct of those foreign powers, had expressed himself in a more guarded manner than accorded with his (Mr. W's) feelings on the subject. Now, though he was extremely jealous of continental alliances, yet he would be acting most ungratefully and unfairly, if he forgot the benefits which England had derived from the union with those powers; and he thought, that in this country they did not sufficiently remember the signal deliverance which they had experienced by their connexion with the allies in the late war, crowned by the victory of Waterloo, to which they owed the destruction of the great enemy of this country who had brought into action the most powerful engines for its subjugation. Recollecting these circumstances it was of course becoming in his noble friend to speak with more delicacy and with greater diplomatic civility of the conduct of those monarchs than could be expected of a member of parliament standing up in his place. He would only say further, that the welfare of this country depended not merely on looking with a watchful eye on the proceedings of foreign powers, as they affected each other, but on cultivating the blessings which Povidence had placed within our reach. By economy, by retrenchment of expense, by an application of relief to the people, in every way that could be conceived, this country would again become great and happy.

Mr. *Stuart Wortley* said, it appeared to him, after the explanation given by the noble lord, that there remained no room for jealousy on this subject. When the noble lord stated that he had, before the 19th of January, expressed the same opinion which he now held, he conceived that declaration rendered the motion unnecessary. If it had not been made, it would, he thought, have afforded a good ground for dividing the House. His great reason for rising was, to lay before the House his protest against the doctrines contained in the paper to which the hon. and learned gentleman had alluded. If such a tribunal of monarchs was suffered to exist in Europe, then he would say, not only that Europe was not safe, but that the British constitution was not safe. He saw, in such a tribunal, danger without end—not only danger to others, but to the throne of this country. With respect to Austria marching against Naples, a case might, perhaps, be made out to justify her aggression; but with respect to the conduct of the allied monarchs, in summoning before them the monarch of a free country, because he gave to his people a constitution which that people were desirous of having, it was an act of tyranny against which, as a member of the British parliament, he must raise his voice.

Colonel *Davies* defended the Neapolitans against the charge of endeavouring to draw the subjects of other states from their allegiance. The inhabitants of Ponte Corvo sent deputies, at the commencement of the revolution, with a desire to become parties, but the Neapolitans, so far from taking an advantage of that disposition, actually reconciled them to the Pope, and induced them to return to their allegiance.

Mr. *Tierney* thought that the noble lord had granted too much or too little. If the circular of our government had not been on the journals—if the notice of it had occurred incidentally—he would then have agreed that a division was the thing most to be avoided. But he could not see how it was possible for the House, having a paper before it which was attacked on one side and defended on the other, could give any opinion on that paper, without further information. The House of Commons would present an extraordinary appearance abroad, if they were to be checked, not in taking any step, but in calling for information. He considered the paper which had given rise to this discussion as the most important that had been laid before parliament for many years; and coupling it with the speech of the noble lord, he viewed it with great anxiety. The noble lord had stated, that he had sent to the great powers on the continent such remonstrances, from time to time, as must convince them of the sincerity of his majesty's ministers in their determination to take a neutral course. Now, he meant nothing uncivil to the noble lord, but he certainly should be glad to see the remonstrances themselves; because the statement of the noble lord convinced his mind that in his speech of neutrality there was not over much of sincerity. It appeared extraordinary to him, that in the situation in which this country stood with respect to foreign powers, the dignified attitude she took on this occasion was that of strict neutrality. [Hear, hear!] The noble lord declared—"I, the English minister, cannot do any thing; but I state to you, prince Metternich, that I wish you to do something. I cannot act, because there are persons here who, for some reason or other, are averse to it. But, if I were you, I would raise an army against these Carbonari, and proceed to attack them." And this, he was sure, must have been the impression made on the mind of prince Metternich. The noble lord had taken the greatest pains to convince the House that his sentiments were decidedly hostile to the Neapolitans, their army, and the Carbonari; but he felt that he could not concur with those royal personages at the congress, without adopting their principles, which were utterly reprobated. Nothing gave him (Mr. T.) greater pleasure than the two speeches which had that night been delivered by his hon. friend behind him, and his hon. friend opposite (Messrs. Wilberforce and Wortley), which contained many honest English sentiments. He was happy, when sovereigns raised themselves into such a congress, to find gentlemen not connected with his side of the House, ready to avow such honourably indignant feelings and sentiments. The noble lord, on all occasions, spoke of the blessings of the peace that had been conferred on this country. By the treaty of Vienna, the situation of the whole of the powers of Europe was settled; of which this country formed one, France another, and there were three others. Now, if he understood the noble lord rightly, he stated that those three powers informed the other two, that they were about to do something of great importance, and then a congress was formed, to see how it could be best done, or how best avoided. He further stated, that the ministers of France and of England went to this congress, without powers to enable them to prevent or to accelerate the performance of this act. It appeared, that they had only a seat in the gallery to be spectators of what passed below; and the moment it was settled that the army should march, "strangers were ordered to withdraw." [A laugh.] Was that the dignified attitude of Great Britain? The noble lord said that his object was, to prevent war; and he had expressed his astonishment at the change which had taken place in the sentiments of those who wished him to take a course that would have led to war. His (Mr. T's.) opinions were not at all changed. Nothing he dreaded more than war. He would not enter into a discussion on the finances of this country, with reference to their unfitness for a state of war; he would only generally say, that, almost under any circumstances we should endeavour to preserve peace. But peace was not peace, without honour; peace was not peace, if purchased by the degradation of England; peace was not peace, if we did not hold the commanding station we ought to hold, should it be necessary to go to war. If this motion were refused, they would be placed in a most extraordinary situation. A paper was laid on their table, referring to another, containing sentiments which every man must abhor, and yet they were told, that this was not a case which called for further information! The noble lord said, that the treaty of Troppau could not be considered as containing the definitive sentiments of those powers, because it was a mere private communication, and he went on to state, that the allied monarchs felt the strongest desire to preserve peace, and did not seek aggrandizement. But why should he not believe that private and confidential communication, as well as he believed the note of the noble lord? For his own part he believed that paper, which had been styled a confidential communication, to set forth the real views entertained by those three powers, and by their ministers. The noble lord said, he would not interrupt the harmony that subsisted between him and those powers. He believed the noble lord; because he believed there was not only a congress, but a cabinet of sovereigns for Europe; and, no doubt, they agreed very well. Indeed, he had been told, when some fears were entertained of a change in the administration of this country, that a remonstrance was made by a foreign court on the subject. [Lord Castlereagh inquired, where it was to be found?] The noble lord knew very well that he (Mr. T.) could not produce it; but he also knew that there was a mode of stating opinions on matters of that kind, which put it out of his power, and perhaps out of the power of the noble lord, to get at the document. There was, he believed, great fear at the time that the noble lord would not remain in office. Of course, the best efforts were made to keep him in; and the least he could now do for that assistance was, to give prince Metternich a turn. Under these circumstances, his firm conviction was, that the noble lord approved in his heart of the conduct of Austria.

Mr. *Robinson* said, the right hon. gentleman had misrepresented the views of his noble friend. His noble friend had presented a paper to the House; and any one would suppose from the argument of the right hon. gentleman, that the paper was laid on the table to justify the measures of the allied powers. The fact was, the paper was produced to convince the House, that whatever might be the course of proceeding adopted by the allies, this country was no party to the transaction. Then the right hon. gentleman said, the House ought to be put in possession of all communications. In the paper before the House there was allusion to the communication which the right hon. gentleman appeared to consider so mysterious. Unless the right hon. gentleman could show some good ground for bringing the communications to the test, it was too much to call upon the House to say that the true course had not been taken by his majesty's government. No opportunity had been omitted of stating the view which government took; and with respect to that view, he would say, that government would not have done their duty if they had omitted to state it. The right hon. gentleman had alluded to some stories of prince Metternich having expressed a desire that the present ministers should remain in office. This was quite new to him. But he had heard a story relative to the sentiments which gentlemen of high consideration in this country entertained with respect to a celebrated individual, now in a remote quarter of the globe. And certainly it could not be surprising that prince Metternich should feel considerable alarm at the prospect of a change of ministry, which was to release Buonaparté from the island of St. Helena.

Mr. *Tierney* hoped that as there could be no doubt that he had been personally alluded to by the right hon. gentleman, the House would indulge him with an opportunity of offering a few remarks in explanation. He had no objection in the world that the person with whom he had held the conversation alluded to by the right hon. gentleman should be called to the bar of that House, and examined as to what passed on the occasion. It was true that a conversation had been held by him with a distinguished person; and he understood that on its being reported to the emperor of Russia, he had incurred the displeasure of his imperial majesty. That a conversation did take place he would not deny; but the story was, that he had stated in this conversation, that he and his friends were to come into office, and that they meant to bring Buonaparté to England. Now, if any gentlemen believed that he at once made two such statements to a person whom he had never seen before, they must have a very extraordinary notion of his gossiping propensities. He hoped the emperor Alexander would think more kindly of him in future, when he was assured that he had no intention whatever of letting Buonaparté loose upon him. He understood the emperor, on being informed that this was a joke, had said he had heard that Mr. Tierney was much addicted to the vice of joking, but that such a joke as this deserved to be punished by the government. He hoped the person who had circulated this story would be so good as to say in his next despatch that it was all a joke.

The Hon. *J. W. Ward* thought that the decision of the House that night would depend much on the confidence reposed in his majesty's ministers. The gentlemen opposite, who professed to entertain no such confidence, might vote for the motion; but he could not see how those who retained confidence in the noble lord could support it. If the motion were carried, he should say that the noble lord was pronounced by the House unworthy to retain his office; and therefore he, for one, should vote against it. He agreed, however, with his hon. and learned friend who had introduced this subject with a display of eloquence which he would not presume to praise, that the late proceedings of the allied sovereigns formed a precedent as dangerous in its consequences, as it was unwarrantable in principle. The march of the Austrian army towards Naples, and the steps preceding that movement, he looked upon as the most alarming circumstances that had occurred in Europe for a long period of time. He did not deny that cases might arise to justify the interference of one state with the internal government of another; but in such cases, the most urgent necessity must exist; non-interference was the principle; interference, the exception. It was truly an awful phenomenon that Europe was at present called on to contemplate—a tribunal of sovereigns instituted for the avowed purpose of controlling the conduct of other states, and that not occasionally or on any particular emergency, but permanently and systematically. He appealed to all who now heard him, if this was not a novelty in the history of the world. If the tyranny of the Holy Alliance was thus to be planted over all Europe, the European nations had no reason to congratulate themselves on their escape from the French revolution or from Napoleon Buonaparté. Ages on ages might arise before there appeared another individual like that astonishing man, who in the pursuit of his ambitious and despotic views, exhausted all the resources of possibility. He was a man such as could be expected to arise only once in a century; but the sovereigns assembled at Troppau were productions of every day and every country; and, therefore, there was no hope of any end to their system of tyranny, The dominion of Napoleon had been attended with a certain splendor which invested it with dignity, and had prepared the way, as far as despotism could prepare the way, for a better order of things; but, this new system of despotism was all gloom and darkness. His hon. and learned friend had, with great justice, compared the principles of the Jacobins in 1792 with those of the sovereigns at Troppau. The French at that time attempted to proscribe monarchy, which we considered, and which he hoped would ever be considered, a valuable part of our constitution. But what were the allied sovereigns doing? They were endeavouring to proscribe liberty; which he trusted was a part not less dear to us. This was not the hasty act of revolutionary demagogues, but the stern and deliberate act of statesmen who had publicly proclaimed a crusade against the liberty of Europe, and whose purpose was as immutable as it had been deliberate. If this country was safe from the maxims of the Congress, it was safe only because it was strong. Let no man deceive himself on that point; for, from the avowed principles of the congress, it was clear that England must be to them an object of aversion and hatred. If they were endeavouring to trample on all freedom, with what eyes must they look on a constitution framed on those very principles which they had proscribed and which they were attempting to put down by violence! [Hear.] He could not but think that this system was a cause for rendering our connexion with these countries less intimate. Austria, it was well known, had reaped the victories of Marlborough in former times; and she would also reap the more recent victories which had been achieved by the blood and treasure of this country. She owed us at present sixteen millions sterling; and he was sure it could not be proposed to the people of England under existing circumstances, to assist her with even the smallest subsidy, or to shed one drop of blood in her cause.

Mr. *Brougham* rejoiced to hear the testimony which had been borne by the hon. gentleman who had last spoken, by the hon. member for Yorkshire, and by the gentleman who had spoken from his side of the House; and he rejoiced the more at that testimony, because Europe would now perceive, and the congress at Laybach would perceive, that this was not a decision of the English House of Commons in their favour; that it was not even a delay of judgment against them; that it was not an opinion pronounced on the mighty question which now agitated Europe, and which he hoped would at last end in general liberty. He hoped that it would produce liberty, if possible, by peace: but, if that were not possible, then by war—a war which he hoped not to see this country engage in, but a war imposed as a necessary duty upon those on whose liberties an attack was about to be made. He was not sanguine enough to expect that the first results of that war would be favourable to Naples. But let the immediate result be what it might, though at first defeated, the seed would be sown, the foundation would be laid for better exertions, and for eventual success. Though defeated in the south, they would break out in the north; and though they might even then be quelled, yet Germany itself was not insensible to the struggle. After the part which he had taken five years ago in a debate upon a question in some degree allied to the present, he could not possibly reconcile it to himself to give a silent vote on the present occasion. Once more he entreated, that no mistake might be made as to the vote of the House that evening on a subject of such importance. Whatever the majority against the motion might be, it would not be a decision in favour of the conduct of the Holy Alliance. If there was any man in the House willing and able to defend the congress of Laybach, and the principles upon which that congress acted, he hoped that that man would rise and enter upon their exculpation. If no defence were attempted, it would be evident what was the opinion of the House. He hoped the hon. member who spoke last had overstated the dislike in which we were held on the continent. He believed, that long after our subsidies had ceased, the people of the continent looked with no little interest to the deliberations of that House; and he would venture to express his wish that it might go forth to those countries, that there was not one man in the House of Commons who approved of the proceedings of the congress at Laybach.

Sir *J. Mackintosh* rose to reply. After all that had been said, he felt satisfied that in making his motion for further information, he had given to the members of the House an opportunity of expressing in a mild and safe manner, their condemnation of the principles upon which the Holy Alliance had proceeded. The president of the board of trade had observed, that there was no use in asking for information, unless it were intended to be followed by a motion for censure. Were there, then, sufficient grounds, it had been asked, on a *prima facie* view, for censure? He would reply, that there might not be grounds for censure; but, at all events, there were sufficient grounds for inquiry. He would remind the House, that the papers of the allies alluded to in the course of the evening had two characters, one theoretical, the other practical. In the first view, a new code of the law of nations had been proposed. The noble lord had done every thing but approve of the attack upon Naples. He had said, that it might be justified in a case of necessity. But the question was not whether the allies had a good case on the ground of necessity. The true way of stating the case was, to say, that this was the natural consequence, the first overt act of the new code of the law of nations. The case of Naples, by an unavoidable inference, was of importance to every other nation in Europe. Under the present state of things, the whole importance of the question turned upon the justification which had been offered by the allies themselves. If they had alleged the ground of necessity, he did not know where a case might not have been made out justifying their interference. But that was not the ground upon which their own justification rested. He had been surprised to hear in the course of the evening a statement from a gallant friend, that the British government was suspected of having countenanced and assisted in bringing the late king of Naples to a military trial and a military execution. Whether the charge were true or not, it was of too serious a nature to be made a subject of merriment; more particularly, as the noble lord had not denied it, but merely said that he had never heard of it.

Lord *Castlereagh* said, that it was impossible for him to give a more direct denial to the statement of the hon. gentleman than that which he had given. He had never heard of the circumstance; and he therefore could not be expected to speak to a circumstance of which he had till now been ignorant.

The House divided: Ayes 125. Noes 194. Majority 69.

List of the Minority.

Allen, J. H.
Althorp, visc.
Anson, hon. Geo.
Beaumont, T. W.
Barham, J. F. jun.
Baring, sir Thos.
Baring, Alex.
Barnard, visc.
Barratt, S. M.
Becher, W. W.
Benett, John
Bennet, hon. H. G.
Bentinck, lord W.
Benyon, Ben.
Birch, J.
Bernal, Ralph
Brougham, Henry
Bright, H.
Bury, visc.
Byng, George
Calcraft, J.
Calcraft, J. H.
Calvert, C.
Campbell, hon. J. F.
Carew, R. S.
Carter, John
Cavendish, lord G.
Cavendish, H.
Cavendish, Charles
Caulfield, hon. H.
Clifford, capt.
Clifton, lord
Colborne, N. W. R.
Concannon, L.
Crespigny, sir W.
Crompton, Saml.
Creevey, Thos.
Corbett, P.
Davies, T. H.
Denison, W. J.
Denman, T.
Dundas, Chas.
Ellice, E.
Evans, Wm.
Farquharson, A.
Fergusson, sir R. C.
Fitzroy, lord J.
Fox, G. Lane
Glenorchy, visc.
Gordon, Robt.
Graham, S.
Grant, J. P.
Grenfell, P.
Griffiths, J. W.
Guise, sir W.
Gurney, Hudson
Hamilton, lord A.
Harbord, hon. Ed.
Hill, lord A.
Hobhouse, J. C.
Hornby, E.
Honywood, W. P.

Howard, hon. W.
Hughes, W. L.
Hume, Jos.
Hutchinson, hon. C.
James, W.
Jervoise, G. P.
Kennedy, T. F.
Lennard, T. B.
Lambton, J. G.
Lemon, sir W.
Langton, T. H.
Macdonald, Jas.
Mackintosh, sir J.
Marjoribanks, S.
Martin, John
Monck, J. B.
Moore, P.
Newport, sir J.
Noel, sir G.
O'Callaghan, Jas.
Ord, W.
Ossulston, lord
Palmer, C.
Palmer, C. F.
Parnell, sir H.
Philips, G.
Philips, Geo. jun.
Pierce, H.
Power, R.
Price, Robt.
Ramsay, sir A.
Ramsden, J. C.
Ricardo, David
Rice, T. S.
Rickford, W.
Ridley, sir M.
Robarts, Ab.
Robarts, G.
Robinson, sir G.
Rumbold, C.
Russell, lord J.
Russell, R. G.
Scarlett, J.
Smith, hon. R.
Smith, J.
Smith, W.
Smyth, J. H.
Sebright, sir J. G.
Sefton, earl of
Shelley, sir John
Stanley, lord
Stuart, lord J.
Talbot, R. W.
Tennyson, C.
Tierney, rt. hon. G.
Warre, J. A.
Western, C. C.
Wharton, John
Wood, Matthew
Wyvill, M.
Wetherell, C.
Wilberforce, W.
Williams, Wm.

TELLERS.

Duncannon, visc.
Wilson, sir R.

PAIRED OFF.

Abercromby, hon. J.
Aubrey, sir J.
Barham, J. F.
Sykes, D.
Taylor, M. A.

HOUSE OF COMMONS.

Thursday, February 22.

AGRICULTURAL DISTRESS.] After several Petitions had been presented complaining of the Agricultural Distress,

Mr. *Curwen* said, the distress was of a general nature; there was no class of society exempt from it. He rejoiced to see so many petitions presented from all parts of the country, because he hoped that they would force upon ministers the consideration of the subject. Looking at the miserable state of the people, he was, he confessed, astonished to find persons of information and ability, talking of the prosperous state of the country, and urging the amount of the excise duties as a proof thereof.

Mr. *Ellice* wished to make one observation on what had fallen from his hon. friend with respect to the amount of the excise duties forming any criterion by which to judge of the prosperity of the country. He desired to refer his hon. friend to exactly the same statement made by the chancellor of the exchequer in 1816—the year approaching nearest in many features of national distress to the present period—that the Excise for the preceding year, had exceeded in amount that of the two former ones. As he was upon the subject, although he had not come into the House with any intention of taking part in this discussion—he might also refer to the plan then adopted by the chancellor of the exchequer, for the relief of the prevailing pressure. To use his own words, the right hon. gentleman had said, that the most effectual relief would be, to increase the amount of the circulating medium, "by placing an additional guinea in the pocket of every man in the kingdom"—which could be easily effected by loans from the Bank—the nation was again inundated with paper money—prices were immediately raised—but although the result of these measures was the temporary relief which had been anticipated—he feared the aggravated distress now afflicting the country was in a great degree to be ascribed to them.—In the preceding year—considerable progress had been made towards attaining that great end which had been so much desired by all parties—and which the country was certainly then in a better situation to effect than at any subsequent period—the resumption of cash payments. The accumulated stock of colonial produce, from our own possessions, and those of France, Holland, and Spain, which encumbered our warehouses—found its way to the continental markets—a simultaneous demand took place for our manufactures, and in return, considerable sums of the precious metals were imported into this country.—These favourable circumstances had enabled the government to reduce their debt to the Bank from 35 millions, which it had been in August 1814, to less than 19 millions in February 1816, which, taking into consideration the public balances, was less than its present amount, supposing all the payments recommended by the committee to have been punctually made to this time; it was in such a state of things that the chancellor of the exchequer, for the purposes of the moment, plunged the country by his financial arrangements, into all the evils of the system from which it had been so nearly extricated by the peculiar and favourable circumstances to which he had adverted, and which had ultimately brought us to the desperate condition so forcibly painted by the petitioners.—The hon. gentleman then commented on the steps taken by the Bank at the period to which he referred, and their subsequent attempt to counteract the effect of this new issue of paper upon the foreign exchanges and the Bullion market, by a cotemporaneous issue of the specie which the balance of trade on the return of peace had enabled them to accumulate. These operations of the Bank and the government had created a fictitious market for the precious metals in this country, which existed at the period of the appointment of the secret committee to inquire into the expediency of resuming cash payments in 1819; and if he could presume to set up his humble judgment against the opinions of such eminently qualified men, the committee had either overlooked this circumstance, or given less weight to it, in their calculation of the effects which the measures they subsequently recommended were calculated to produce, than it was fairly entitled to. The Bank was again almost drained of its treasure, the coin issued from the months of September and October 1817, till the time at which the committee was appointed in February 1819 varied from 2 to 600,000*l.* a month, and amounted to about seven millions. All the sovereigns coined in the preceding year appeared to have gone first: when this stock was exhausted, the guineas followed; not one of either found their way into circulation, and it was afterwards found they were nearly all accounted for, in the mints of Paris and Brussels. The amount thus exported tallied exactly with that coined at our mint in the two years (none having been previously coined since 1813) and with a return from the mint—of the gold imported by the Bank for the coinage of 1817 and 1818. In the twelve months preceding September 1817, the issue of gold coin had not exceeded altogether 50,000*l.* and the price from the reduction of paper scarcely exceeded the mint price —at this time the effect of the paper issue began to be felt, and had it been left to its own operation without being checked by the issue of gold—the price of the precious metals would, in all probability, have risen to the same height, to which the increase of the paper curency in 1813 had carried it. The directors of the Bank, goaded by the present imputations on their expressed desire to resume cash payments, determined unfortunately to prove their sincerity by the course they adopted; not considering that they must discover a mine under the Bank to enable them to supply the demand which a continued over issue of paper would create. It was under these circumstances the appointment of the committee of 1819 took place; and the first measure they were called upon to adopt was, to recommend the suspension of further money payments by the Bank; altho', as he had before stated, in his opinion they had either overlooked, or greatly under-rated the effect produced by those which had been made, on the state of our currency. They found certainly the price of gold reduced by these operations to 4*l.* 2*s.* per oz. and at least led the country to suppose, that the depreciation of prices, which might be apprehended from a restoration of the ancient standard, would be in proportion to the difference between 4*l.* 2*s.* and 3*l.* 17*s.* 10*d.*, instead of which, in his opinion, they ought to have fairly represented the probable sacrifice required, by estimating the difference between the price, which the financial operations of 1816 were calculated to produce, if the Bank had not interfered by supplying the market with gold to prevent an advance, and the ancient standard. This price he felt satisfied would have been nearer 5*l.* 10*s.* than 4*l.* 2*s.* and much as he was attached to the principles on which the committee founded their report, much as he repudiated the continuance of a fluctuating standard of value regulated solely by the joint discretion of the government and the Bank; he now regretted he had not recorded on the Journals, what was his opinion at the time—and every hour's experience since had tended to confirm it—that 5*l.* 10*s* was much nearer the standard at which the country might be able to cope with the distress left by the war—the competition her trade and manufactures burthened with taxation, had now to expect—and the overwhelming load of debt, which the short-sighted policy of the last twenty years had left us to contend with—than the standard of 3*l.* 17*s.* 10*d.* recommended by the committee. That determination now having been adopted, the effect he had anticipated it would produce having been felt andborne—by every other interest of the country—except the landed proprietor and agriculturist—who were now, he feared, but entering upon the last trial which awaited them; he would be the last person in the House, if the country could wade through the difficulties imposed on it, to desire any alteration of the present system; but when the noble lord (Castlereagh) had only expressed his commiseration for the sufferings of the agricultural interest, and his readiness to go into a committee of inquiry on their complaints, provided the proceeding was not to interfere with the corn laws, the currency, or the collection of taxes affecting the farmer, he meant for his own part to protest against so useless a waste of time, and such an utter trifling with the grievances of the people. He had been drawn unexpectedly into this statement of his opinion —first of the pernicious effect of the paper system on the transactions of the country, and secondly of the distress which the late alteration had unnecessarily produced—and he entreated the House no longer to deceive itself as to the imminent danger and difficulty in which the country was placed. We were now, he was afraid, on the brink of an imminent crisis, and our situation required all the prudence, determination, and wisdom, which every party possessed, to save us from irretrievable ruin. The merchant had lost nearer a half, than a third of his capital which had been invested in foreign trade, and there was little hope from the state of commerce, of his being able to employ what remained with any prospect of tolerable remuneration. The evidence now taking before the committee on foreign trade up-stairs, but too clearly proved that the ship-builder and owner were carrying on their respective occupations, with a certainty of loss, and were compelled to pursue them, that their establishments might be preserved, and their ships might not decay from being laid up—and they are tempted to persevere, from some unfounded hope that better times would arrive, as had before been the case under the varying feature of the war, and the fluctuating system of a paper currency. The farmer also recollecting the relief he obtained in 1816, had been induced to go on, paying his rent and taxes out of the little of money he had saved in better times, in the hope of markets improving, for his accumulated stock—till his capital is exhausted—the very course he pursued has aggravated his difficulties—and he now comes before us with his petition in the forlorn hope that we can again raise the value of his produce, to enable him to meet engagements contracted on the faith of the continuance of high prices. Every branch of productive industry is in the same situation, and if the manufacturers in Lancashire and Yorkshire, enjoy a temporary exemption from the generally prevailing depression, there is too much reason to fear they are also destined to experience a reverse, from the revulsion which the agricultural distress must produce in the home-market. In short, look which way we would, every thing appeared hopeless around us. He would put a simple case in illustration—he might almost say of the state of the country generally—but certainly of the situation of many even to whom he was then addressing himself. Suppose a gentleman of landed property, who had a well-paid rental in 1813 when the price of wheat was upwards of 100*s*. of 6,000*l*. per annum; upon a general calculation it might be estimated that one third went in the first place to satisfy jointures, portions to younger branches of his family, and interest of debt—there then remained 4,000*l*. for his expenditure. The price of wheat, and other produce in proportion, falls to between 40*s*. and 50*s*.—his rental of course declines one half—the same debt is to be deducted—and 1,000*l*. remains, instead of 4,000*l*. for the maintenance and support of his situation and his family. The jointure, the portions, the debt, are all proportioned to the value of the property artificially raised by the paper currency—but must now be satisfied at the altered standard, out of means reduced one half in amount. The hon. member for Cumberland had talked of a reduction in the interest of the fundholder—or of taxes.—What adequate relief would either measure afford in the case he had stated? The hon. gentleman then begged pardon of the House for being led by accidental circumstances into this discussion, which he felt might have been postponed to a more appropriate moment. Although he would not, without protesting against the exceptions of the noble lord, assent to the appointment of the proposed committee to inquire into the complaints of these petitioners, still he thought they were entitled to all the attention which the House in commiseration to their situation, could pay to them—but still he felt, that to hold out any hopes of relief from a committee, which was neither to consider the effects of the currency, the corn laws and taxation—or the agricultural interests—would be to practise a delusion on the public.

Mr. *Grenfell* could not concur in opinion with his hon. friend, that a great error had been committed by the committee of 1819, in the principle of the standard which they had recognised; on the contrary, he thought the principle of that report the soundest that could be recognised. It would be recollected, that when the committee sat, the Bank of England had the option by law of issuing the gold coin of the realm in payment of their notes. The law had since restricted the Banks of England and Ireland from paying in specie. Now he thought that, under the present circumstances, it was extremely desirable that that restriction should be removed; and that the Bank should have the option to pay in specie.

Mr. *Huskisson* expressed his regret, that Mr. Ellice should have so suddenly brought the House into the discussion of a subject which required to be handled with much caution.

Mr. *Baring* conceived that his hon. friend had done a public good by bringing the question before the House. It was not a subject to be settled on what was called a grand debate; it required great consideration, and the House should not shrink from the avowal of the truth. He was not disposed to touch the law which had been lately made upon the subject; yet it was his conviction, that the attempt to bring about the restoration of the currency was at the bottom of the public distress. He sincerely hoped that the distress and embarrassment of the present day would operate as a solemn warning to future times, not to depart from the established standard of value.

Ordered to lie on the table.

Dublin Petition complaining of the Conduct of the High Sheriff.] Lord *John Russell* rose, pursuant to notice, to present a petition complaining of a military outrage alleged to have been committed by the high sheriff of Dublin, at a county meeting lately held at Kilmainham. He had, in the first place, to express his regret as well as his surprise—and it could not fail to excite the surprise of the House—that while there were so many able members from that part of the kingdom, the petitioners should have requested him to present their petition. He was sure, however, that in doing so they had been actuated by that generous feeling which was known to be characteristic of their country; that they believed the circumstance of which they complained to be the grievance of the whole kingdom; and that they felt, if English members were not disposed to consider it as affecting the constitution of the whole kingdom, they needed not apply to parliament for redress. The petitioners stated, that, on the 27th of December last, the high sheriff of Dublin published a requisition from the nobility, clergy, gentry, and freeholders of the county, requesting him to call a county meeting, for the purpose of voting a loyal address to his majesty; together with a notice from himself, appointing the said meeting to be held on the 30th, in the county-court, at Kilmainham. He was aware the noble lord opposite had said that county meetings did not express the sense of the country; but that, he believed, was only a recent opinion: it was not till those who called themselves loyal addressers were defeated in every corner of the kingdom—it was not till the grapes were sour—that the noble lord found out that these meetings did not express the sense of the country. According to the notice published by Mr. Steele, the sheriff, the nobility, clergy, gentry, and freeholders, assembled between 12 and 1 o'clock on the day appointed, outside of the court-house. At one o'clock several of the freeholders went to the door of the court and requested admission, but were told by the police-officers who surrounded it, that they had express orders from the sheriff not to admit any persons but those who were pointed out to them. At a quarter past one the doors were opened, and the freeholders, on entering, found the room nearly filled with persons who had previously been admitted; among whom they recognised most of those who had signed the requisition, and a large body of police-officers. A motion for a loyal address having been made and seconded, the sheriff, without putting the question on it, proceeded himself to name a committee, who were to prepare the address. In consequence of this irregularity, a respectable freeholder remonstrated in the most temperate manner, and suggested to the sheriff that he ought to take the sense of the meeting in the first instance, whether an address should be voted, and then on each of the names proposed to be on the committee; but the sheriff refused to listen to his suggestion, and proceeded to name the committee, who retired to prepare the address. Now, he would ask, what would be thought of the House of Commons if it should name a committee to draw up an address to his majesty, without having previously decided that an address should be presented? The person who had suggested the regular mode of proceeding again complained of the course pursued, and the high sheriff told him that if he uttered another word, he would turn him out of the room. In a few minutes the committee returned with the address, on which the question was about to be put to the meeting, when Mr. Byrne, a most respectable gentleman of the legal profession, and a king's counsel, rose to move an amendment. That gentleman prefaced his motion with some remarks, expressive of his attachment to the throne; and so far he was listened to with patience; but the moment he began to condemn the conduct of ministers, and to state his intention of moving an amended address, the sheriff interrupted him, saying that these topics were irrelevant, and he would not allow him to proceed. He would put it to the noble lord opposite, whether such topics were irrelevant at a meeting assembled to express loyalty and attachment to the throne. In usual circumstances, and in ordinary times, it was not necessary for subjects to express their loyalty otherwise than by a willing obedience to the laws. Some extraordinary circumstances, therefore, must exist, before such expressions of loyalty were required; and accordingly he observed that in all these loyal addresses some such circumstances were alleged to exist. In the address passed by the sheriff at this meeting, and which had appeared in the Gazette, the prevalence of sedition and blasphemy was alleged as the circumstance which had induced the requisitionists to address the throne. But surely it was equally competent for other persons to express a different opinion, if they thought that no blasphemy or sedition existed; and ministers themselves had warranted the latter opinion, by putting into the mouth of his majesty a speech to Parliament, in which no mention was made of the existence of either sedition or blasphemy. He held in his hand a copy of the amendment proposed by Mr. Byrne, and he would read it to the House in order to convince them that what was about to be submitted to the meeting by that gentleman did not deserve the imputation of encouraging sedition and blasphemy. [The noble lord here read the amendment, which breathed the most loyal attachment to the throne, but censured severely the conduct of his majesty's ministers.] The high sheriff, however, appeared not to be aware of the constitutional laws of the country; for he would not permit the mover of the amendment to proceed, and on that gentleman's saying, in the most respectful manner, that he was strictly in order, the high sheriff declared that if he did not desist, he would call in the military. The petitioners stated that a body of his majesty's troops were stationed in the vicinity of the court-house as a guard on the gaol of Kilmainham. The high sheriff having refused to hear the amendment of Mr. Byrne proceeded to put the question on the original address; but even this question he put in the affirmative only, and hearing a few voices exclaim "ay," he gave it as his opinion that the address was carried unanimously. It appeared from the petition, that the sheriff having left the chair, a large majority of the freeholders present, thinking that the address was not legally carried, voted lord Cloncurry, a magistrate of the county, into the chair, in order to effect the object for which they had been convoked. That noble lord having taken the chair, the sheriff declared the meeting to be illegal, and, quitting the room commanded all who were loyal men to follow him. The meeting was then proceeding to vote a loyal address to the king, with a magistrate in the chair, when a body of troops, with an officer at their head, armed with loaded muskets, and some of them with drawn bayonets, entered by all the avenues leading to the court-room and by threats and personal force applied to lord Cloncurry, compelled him to retire from the chair, and dispersed the meeting. If the following assertion of the petitioners were not satisfactorily contradicted, the House, he thought, must agree to the motion he intended to make for a committee to inquire into this unconstitutional outrage. It was stated that at the time of the introduction of the military into the meeting, and previously to that introduction, they were proceeding with the utmost order and regularity, being assembled in a room, and every other requisition of the late acts of parliament being complied with; and that, if there had been any indication of disturbance, a large body of police officers were present, sufficient to repress any tumult and to disperse the meeting, if necessary. Such was the outrage of which the petitioners complained, and surely it would be superfluous in him to say a single word in order to prove that the conduct of this sheriff had been highly improper and unconstitutional: he should think that all the liberties of the people and all the safeguards of the constitution were irretrievably gone, if it were necessary to use any arguments on that subject. But he must beg the attention of the House to a circumstance which followed the dispersion of the meeting. An application had been made to the lord lieutenant for redress, but he had been obliged to wait for an answer from the government in this country. That answer at last did come from the same quarter from which thanks had been sent to the magistrates of Manchester. [Hear, hear.] That answer was—"The courts of law are open." He believed, however, on the authority of very eminent lawyers, and the opinion had been stated in the discussions on the Manchester question, that the courts of law would not like to interfere in such a case. If there was no redress to be expected from the magistrates, and if the government refused to take up the question, it behoved the House of Commons to see justice done. The celebrated protestation of 1621, expressly declared that "the arduous and urgent affairs concerning the king, state, and the defence of the realm, and of the church of England, and the making and maintenance of laws, and redress of mischiefs and grievances, which daily happen within this realm, are proper subjects and matter of counsel and debate in parliament.*" He had heard, that the grand jury of Dublin had sanctioned the conduct of the sheriff. If this was so, the necessity for the House to interfere became the stronger, because the act of a hot-headed officer became that of a great faction. The noble lord then moved, "That the said Petition be brought up."

Colonel *Talbot* said, in seconding the motion as one of the representatives of the county of Dublin, I feel myself called upon to say a few words on the subject of the petition. I was not present when the outrage complained of was committed; but I have no hesitation in saying, from every circumstance which has come to my knowledge, that the petition contains a correct although a moderate statement of the atrocities which took place on that occasion. Shortly after the period alluded to in the petition, I had the honour to be called to the chair at a numerous and most respectable meeting of the freeholders of the county of Dublin, the great part of whom had attended at Kilmainham, on the special invitation of the high sheriff, with the impression on their minds, that every freeholder would be at liberty to deliver his sentiments on any measure to be proposed; instead of which, they had the mortification to witness a scene unparalleled in the annals of any civilized country—a meeting so called together and so dispersed by a military force; in consequence of which the meeting I had the honour to preside at was convened, for the purpose of petitioning parliament for redress, and met not at Kilmainham, the usual place where county meetings are held, but in the city of Dublin, out of the reach of that power which had already insulted them; and the petition now before you was there unanimously adopted. The petitioners are anxious to prove the truth of the allegations therein contained by affidavits, or respectable witnesses at the bar of this House. However great my personal esteem may be for the high sheriff, I cannot avoid saying he has, from some very unaccountable misconception of his duty, been misled into a gross violation of the constitution; for after having convened the meeting, it was his bounden duty to put the question on the amendment, which he had no right to assume was less loyal than the address proposed. Mr. Talbot then read the following extract of a letter from Mr. Byrne, describing the dispersion of the meeting:—"When just in the act of proposing the amendment, and before I had time to read it, the military were called in, and dispersed the meeting. I had a copy of it in my hand at the time, which fell down in the confusion, and stooping to take it up perhaps saved my life, for a soldier came at the rear of the seat I was on, and violently thrust in his musket, which, if it had come in contact with my head, might have broken it, hard as it is. If a committee is granted to inquire into the allegations of the petition, I am ready to go over to be examined, as well as several others." Now, allow me to say if the House suffer such proceedings to pass unnoticed, in future a county meeting will indeed merit no better name than a political farce. Sir, my countrymen are an open-hearted, generous people, and are always grateful for any kindness shewn them; and if ministers will either give them back their parliament, or the full benefit of all those promises made them on surrendering their independence as a separate kingdom, by doing away all religious distinctions, and by repealing that most odious tax on the light of Heaven; and should they want an equivalent for revenue, they easily can find one by imposing a per centage on the incomes of those absentees, who, having sold their country, then deserted it.

---

* See New Parl. Hist. vol. 1, p. 1361.

Lord John Russell then moved, "That a Select Committee be appointed to examine the matter of the said petition."

Mr. *C. Grant* said, he thought it right to declare on the part of the Irish government, that they had no connexion, publicly or privately, with any of the proceedings which formed the subject of the petition. He deemed it further necessary to say, that no man deprecated more than he did the unnecessary interference of the military power: no one was more convinced that such interference was generally inexpedient; and he could say, that such was the conviction of the Irish government; appealing boldly to those who had witnessed the conduct of that government since he had been connected with it, whether they had shewn any disposition unnecessarily to resort to military force. The system of the Irish government had been, not to interfere; and he should continue to adhere to the same course on this question. He did not stand there as the defender of the high sheriff, but to state what the Irish government had done, and what, in his view, the House should do. But it was but just for him to mention what statement the high sheriff had given in. He should not remark on the degree of credit due to either of the statements; but it was fair that both of them should be before the House, and as to the main facts, it would be seen that the sheriff decisively contradicted the petitioners. The Irish government, when it had received the address had required an explanation from the sheriff, which he accordingly gave. Whenever the petitioners had alleged that he had not put the question whether there should be an address, the sheriff asserted that he did put the question, which was carried without opposition. The committee was not appointed by him, but in the usual way; he having named one, lord Howth, lord Howth named lord Frankfort, lord Frankfort named another, and so on till the committee was completed. It had been said, that while Mr. Byrne was moving an amendment, the sheriff threatened to bring in the military. The sheriff asserted, that he had not done any such thing. The sheriff in this statement did not advert to one part of the allegations of the petitioners, viz. that he had not put the question on the address in the negative; but he had subsequently called on the lord lieutenant, and stated that he had done so, and there were affidavits of persons who had heard him do so. To shew that the muskets were not loaded, he referred to the letter of the officer of the guard, as also to shew that no violence was offered to lord Cloncurry, and that the bayonets were not fixed. The sheriff also said, that the police officers, only fifteen in number, would not have been sufficient to clear the hall; and that such confusion prevailed in the meeting after he had withdrawn from the chair, that he was under the necessity of employing a military force for its dispersion. This letter from the sheriff was accompanied by several affidavits, corroborative of the statements which it contained. Under these circumstances, the Irish government was called upon to investigate the business, with a view to supersede or suspend the sheriff. But, independently of these circumstances, he felt that the Irish government could not consistently interfere in the manner required by the complainants. The interposition of the military upon the occasion alluded to, the Irish government very sensibly regretted; but he submitted that, with such contradictory statements, it was quite impossible for that government to form any decisive opinion. It was said that the House of Commons ought to enter into an investigation of the subject. If that investigation could be carried on by persons who had a power to examine upon oath, according to the practice of courts of justice, the case might be essentially different. But the House did not examine witnesses upon oath; and here the injuries complained of were such, as being proceeded in in a court of law, must, upon oath, be deposed to. And supposing that upon such an inquiry as that House could institute, the House should come to the conclusion that the sheriff had acted wrong, would the government be justified in discharging such an officer for the mere exercise of what he conceived to be his duty? And if the government, pursuing a middle course, had thought fit to remonstrate with the sheriff, would the parties have been satisfied? Still more monstrous, however, was the proposition, that government should suspend or dismiss the sheriff. He would venture to say that it was incompetent for the government in such a case to do so; and still more unbecoming, if it did so without some strong authority.

Mr. *M. Fitzgerald* said, that he gave full credit to the right hon. gentleman for his desire to communicate to the people of Ireland the principles of the British constitution; but yet he must declare, that he thought his objections to the motion perfectly futile and inconclusive. The right hon. gentleman had much underrated the importance of this question, which involved nothing less than the right of petitioning, and which right it was the imperative duty of that House to assert and maintain. With respect to the reference of the case to a court of law, in what shape could such an appeal be made? Was it to be made to the grand jury, which might be impannelled by the sheriff himself, or which would most probably consist of the very persons who had approved of that conduct of which the petitioners complained? But supposing even a successful appeal to a court of law terminating in the punishment of the sheriff, would that punishment afford adequate redress to the country for the injury which this individual had done to the popular privilege of petitioning, especially in the introduction of a military force to disperse a meeting convened by his own authority? He did not mean to deny the right of the petitioners to appeal to a court of law upon this question, but he maintained that such an appeal could lead to no practical effect. The idea appeared to him quite monstrous, of referring such a case as the present to any court of law, while that House was sitting, which ought to be the peculiar guardian of popular rights. The present question did not refer merely to the county of Dublin, but to every county, for if it were allowed to introduce the army for the purpose of dispersing a county meeting in Dublin, what was to prevent the example from being universally acted upon? With respect to the allegations in the petition, the court-house was crowded before the mover and seconder of the original address could get in, and those two noble lords were therefore raised by pullies to the upper windows, in order to afford them an opportunity of performing the task assigned them. Those who were in the body of the court could not hear what either the mover or seconder said, those two reverend lords being merely seen bowing to each other, like Noodle and Doodle, in the farce of Tom Thumb. A gentleman of the highest respectability, a king's counsel, happened to use the words, " the king's ministers." The sheriff objected that this was beyond the scope of the requisition. This was the first irregularity committed, and for any irregularity after that the sheriff was accountable. No amendment would be allowed, and, without an opportunity for expressing a difference of opinion, there could be no discussion. The sheriff declared the court then dissolved. A distinguished nobleman was afterwards called to the chair, and a state of tranquillity was then established which had not existed before. The doors were next forced by the military, detachments moved off by the galleries, and the chair was taken possession of according to the best rules of military tactics. A similar case had taken place in the king's county. During the warm discussions on the question of the Union, the present postmaster-general for Ireland, lord Ross, called a meeting to petition against it. The meeting was in an open place, and the military were readily led to the spot, provided with a charge of grape-shot. The meeting dispersed, and the union was suffered to pass without a petition from the king's county against it. The sheriff was called to the bar of the House of Commons, and that House, although in acceding to the Union it did an act which shewed that it deserved annihilation, pronounced an appropriate censure upon that officer's conduct. This sheriff was, however, soon afterwards, he supposed by accident, appointed to a very valuable office. Ireland had been tranquil during the proceedings which recently agitated every bosom in Great Britain. He lamented that Ireland had been tranquil, not on account of the proceedings which had been going on, but on account of the cause of her tranquillity. Ireland was so dejected with calamities as to be unable to attend to any thing but her own misery. Now he would say that all the discontents of Ireland originated in local evils; to his majesty they were warmly attached. If his majesty should visit Ireland, he would be received with an enthusiasm, characteristic of that gallant, brave, and generous people. If, however, he might propose an amendment to the proposed intention, he would move that his majesty, when half seas over, should throw his ministers overboard. [A laugh.] If any thing could enhance his majesty's reception, it would be some summary process of that kind against his ministers.

Mr. *Ellis*, of Dublin, said, that he had not the slightest acquaintance with the sheriff; but having been at the meeting, it would be a dereliction of duty in him not to come forward and state what he knew. He would speak not as an advocate, but as a witness. It was absolutely impossible that the petitioners could have been guilty of premeditated misrepresentation; but they had stated many things calculated to mislead the judgment of the House. He himself had observed placards on the walls of the most inflammatory nature. The sheriff was attended by sixteen police-officers. He (Mr. Ellis) had heard the question put, but he was bound to say that he had not heard the negative put. But the sheriff and the noble lord who seconded the address, had both convinced him that the negative had been put. He was bound in candour to say, that he would not have acted as the sheriff had acted. But the sheriff's situation was one of considerable difficulty. It was one of the most difficult questions that could occur to ascertain where relevancy ended and irrelevancy commenced. It depended on the mode of the speaker, and the temper of the listener. If the sheriff had taken the wrong side of a difficult discretion, was he, on that account, to be calumniated, and to be dragged to the bar of that House without the imputation of a corrupt motive? If he had committed a great public injury, for which no adequate redress could be obtained in any other way, then such a course as this would be proper. But until such a case could be proved, it would be putting a man on his trial when he was not accused. He now came to that part of the subject which related to the calling in of the military. The facts of the case were these:—When the assembly was dissolved, the sheriff desired that the persons present should disperse. This was not met in a very civil manner. He then called for the police, not in a low inaudible tone, but in a tone of voice which was heard throughout the hall. But either the police from the confusion which prevailed, did not hear the call, or, if they heard it, did not attend to it. The sheriff then desired loyal persons to withdraw; and he (Mr. E.), amongst others, obeyed the injunction. As he went out of the yard, he met the sheriff coming in with the military. What occurred afterwards he did not personally know; but the statement of the commanding-officer authorized him to say that no violence was resorted to, but the noble lord who was in the chair was handed out of it. [A laugh.] What he mean to state was, that no illegal violence had been made use of. It was simply that practice, *molliter manus imponere*, which was well known to our law, and absolutely necessary for sometimes executing its ordinary process. If the military were properly introduced, the circumstance of their muskets being loaded, or their bayonets being fixed, could not alter the nature of the question; if they were improperly introduced, such a circumstance could not aggravate the impropriety. As respected the conduct of the sheriff, the only material point was, whether the civil power was incompetent to disperse the meeting. He was exercising a discretionary power, and he hoped no sheriff and no magistrate would be made responsible for a mere error of judgment.

Sir *J. Newport* said, that this was a petition complaining of a gross outrage upon the rights of the people; and if the House refused to interfere, what would be the necessary inference? that the imperial parliament declined to do what the last parliament of Ireland had done. The county of Dublin complained that the right of petitioning had been invaded, and he knew of no way in which that public grievance could be so properly redressed as by an inquiry in the Commons House of Parliament. If it were possible to conceive a case in which the military ought not to have been introduced, this was the case. What freeholder would attend a county meeting, at which he was to be exposed to the violence and outrages of the military, and then to be turned round to his action at law for redress?

Sir *J. Sebright* said, that when he voted for the late bills imposing restrictions upon public meetings, he certainly did not expect that the powers given to sheriffs would have been exercised as they had been by the sheriff of Dublin. He had heard with great pleasure the speech of the right hon. the secretary for Ireland, a speech which abounded in those liberal sentiments which he was led to expect from him after all he had heard of his conduct in that country. It was his firm conviction, however, that this was the occasion of all others in which they were bound to appoint a committee to investigate the grievance complained of.

Mr. *Bathurst* said, that the late acts did not apply to county meetings, which stood entirely on the basis of common law. The only question which the House had to consider was, whether this was the most proper tribunal before which the inquiry could be carried on. If the sheriff had done wrong, what punishment was the House to inflict on him, or had they the same means of examining evidence which were possessed in courts of law? If they were to appoint a committee, this would not prevent individuals who thought themselves aggrieved from seeking their remedies against the sheriff in the ordinary courts of justice. Now, what a strange situation would the House be placed in, if two distinct proceedings took place on the same subject of investigation? If that House passed a resolution of censure or of acquittal, it would not prevent the parties complaining from instituting legal proceedings.

Mr. *J. P. Grant* thought the House was bound not to leave the protection of the right of petitioning to the courts of law. If such outrages as those which had been committed in Dublin were to be treated as mere acts of indiscretion, there would be an end to that guardianship which the House was bound to exercise over the rights and liberties of the people.

Mr. *R. Martin* contended, that even if the conduct of the sheriff were as illegal as it had been represented, still the subject was not one that ought to be investigated by a court of law.

Mr. *Peel*, in voting against the motion, wished to guard against any possible misconstruction; for he certainly could not express any approbation of the conduct of the sheriff in the introduction of the military. Such an approbation would contradict the principles upon which he had uniformly acted when he held an official situation in Ireland. He had been accused of extreme severity in the measures which he adopted at that time; but he thought it better to put down the system of illicit distillation by strong and coercive laws, than to encourage the constant interposition of the military. He regretted that resource had been had to the military on this occasion. He, however, approved of the conduct of the Irish government in not censuring the sheriff, or even causing an inquiry to be made into his conduct; and he did so on this principle—because he had always considered it most injudicious in the government of Ireland to interfere at all with ministerial officers.

Sir *J. Mackintosh* said, that the matter of the present motion might be divided into two parts;—the first relating to the conduct of the Irish government in refusing to interfere, after the address presented; the second relating to the line of conduct which, under existing circumstances, it would befit the House of Commons to adopt. With respect to the first question he did not materially differ from the practical conclusion of the right hon. secretary for Ireland, and that of his predecessor. He thought, upon the whole, that the non-interference of the Irish government was fairly accounted for; but one of the reasons assigned for that interference struck him as a little singular. His right hon. friend contended, that it would have been improper for the government of Ireland to have removed the sheriff from his office, even if they knew that he had misconducted himself in it. That might, as a general principle, be true; but if it were true, what should be said of ministers who, without inquiry, and even without hearing removed from his post one of the most illustrious, virtuous and respectable men in England—giving him the first intimation of his dismission, too, in a way which would have been thought harsh from a private master to a menial servant, namely, by a paragraph inserted in a ministerial newspaper? If so much respect was due to the sheriff of Dublin, surely a little respect ought to have been shown to the illustrious individual (earl Fitzwilliam) to whom he had alluded. The House ought to examine into the cause of so much rigour on the one hand and so much lenity on the other: the lenity was shown to a man who cut short a proceeding likely to terminate in strictures upon the government; the rigour was exercised towards one who favoured the expression of public opinion. With respect to the second question, it had been argued that the violation of individual right was not a wrong for the inquiry of the House of Commons. Now, if a private individual suffered injury as a private individual, no doubt the care of his interest belonged to himself; but where, even in the case of a private person, a constitutional right was violated, an injury was suffered by the whole people of the British empire. But he must go farther. It had been said, that for the wrong in question a legal remedy existed. He denied most positively that there was any legal remedy whatever. Where could a definition be found of the duties of a high sheriff at a public meeting? But, to come to the latter part of the sheriff's conduct. Was there redress at law for the employment of the military? Suppose an action brought for common assault, the military would defend themselves by pleading the command of the sheriff. No one would doubt that the sheriff had a discretion to act. The question would be, not whether he rightly used that discretionary power, but whether he did use it: and the soldiers must be acquitted. Then, change the course of proceeding—would the sheriff himself be answerable in a court of law? Every member knew that to convict a civil magistrate, corrupt motives must be made out. Suppose a sheriff, a short time after any little error on the right side, to receive a lucrative employment—and there had been such an instance—would that fact be enough to support an allegation of corrupt motive? It would not. In fact, to say that the House of Commons was not to inquire into the wrongs committed by public officers, was to say that, nine times in ten, public officers might commit wrongs with impunity.

Mr. *Shaw* said, he had been present at the meeting in question, and thought the conduct of the sheriff indiscreet, but not corrupt. He objected to the interference of the House, because a remedy was open at common law, and because he believed that that remedy was likely to be resorted to.

Lord *Castlereagh* sincerely regretted the occurrence in question, and especially the introduction of military force. The question, however, was, what course it was prudent at present to pursue. He was by no means surprised at the opinions expressed by the hon. and learned gentleman who had just sat down, because they were strictly consistent with those delivered by him on the Manchester question. The hon. and learned gentleman had, indeed, followed so strictly the course of argument he pursued on that occasion, that he had not even omitted to allude to the case of earl Fitzwilliam; although between the lord lieutenant of a county, who was necessarily in the confidence of government, and a sheriff there did not appear much resemblance in character. The hon. and learned gentleman's argument was, that as no magistrate could be prosecuted in a court of law, for an erroneous exercise of discretion, not attributable to corrupt motives, it was indispensably necessary that parliament should charge itself with the punishment of magistrates for all offences against the constitution, which were not punishable in a court of law. He was far from saying, that no case of this nature ought to be investigated by the grand inquest of the nation; but the question was, whether the present was that case? Adverting to the precedents produced from the reign of Charles the 2nd and from the Irish parliament, he contended, that they were inapplicable in the present instance. Even if the House were to investigate the business, it must be at the bar, and not in a committee above stairs, that a charge affecting the character and, perhaps, the personal liberty, of a sheriff of a county, must be heard. If the House of Commons were to take upon itself to inquire into the conduct of all public meetings, it would have a copious task, and might divest itself of all its other functions.

Lord *Bective* was of opinion, that the high sheriff of Dublin had conducted himself with great judgment and propriety.

Mr. *Creevey* said, he had been misunderstood in his observations on a former occasion on the right of petition. He on that occasion alluded to the year 1680. He never thought that it would fall to his lot to vindicate the conduct of a Russell and a Cavendish, in the part they had taken against such a wretch as Jefferies. It was the denial of the right of petition, seven years after that period, which caused James 2nd to lose his throne; and he hoped that should the right of the people of England be again invaded in a similar manner, the people would have spirit enough to do themselves that justice which had formerly been done under the auspices of a Russell and a Cavendish.

Mr. *W. Wynn* was opposed to an inquiry into this subject as it was not, strictly speaking, a breach of the privilege of parliament.

The House divided: Ayes 90; Noes 124. Majority against the motion 34.

List of the Minority.

Allen, J. H.
Barham, J. F.
Barnard, visc.
Barratt, S. M.
Becher, W. W.
Benett, John
Birch, Joseph
Blake, sir F.
Boughey, sir John
Bright, H.
Bury, visc.
Calcraft, J.
Carew, R. S.
Carter, John
Cavendish, lord G.
Cavendish, Charles
Caulfield, hon. H.
Coffin, sir Isaac
Crespigny, sir W. De
Curwen, J. C.
Creevey, Thos.
Calvert, N.
Cole, sir Chris.
Crawley, Saml.
Davies, T. H.
Denison, W. J.
Denman, Thos,
Duncannon, visc.
Ellice, Ed.
Farquharson, A.
Fergusson, sir R. C.
Fitzgerald, lord W.
Frankland, Robt.
French, Arthur
Fox, G. Lane
Fitzgibbon, hon. R.
Glenorchy, visc.
Gordon, Robt.
Grattan, J.
Grant, J. P.
Griffith, J. W.
Hamilton, lord A.
Harbord, hon. E.
Hill, lord A.
Hobhouse, J. C.
Honywood, W. P.
Howard, hon. W.
Hume, Jos.
Hutchinson, hon. C.
Kennedy, T. F.
Lennard, T. B.
Lambton, J. G.
Lemon, sir W.
Lloyd, J. M.
Maberly, John
Macdonald, Jas.
Mackintosh, sir J.
Martin, John
Monck, J. B.
Moore, Peter
Newport, sir J.
Nugent, lord
Noel, sir G.
Ord, Wm.
Ossulston, lord
Palmer, C. F.
Parnell, sir H.
Philips, G.
Phillips, Geo. R.
Power, R.
Price, Robt.
Rice, T. S.
Ramsden, J. C.
Ricardo, David
Ridley, sir M.
Robarts, Ab.
Robinson, sir G.
Rickford, Wm.
Smith, hon. R.
Smith Wm.
Sebright, sir J.
Talbot, R. W.
Tennyson, C.
Warre, J. A.
Williams, Wm.
Wilson, sir R.
Wood, Matthew
Wyvill, M.
Whitmore, W.
White, Luke
Westenra, hon. H.

TELLERS.

Fitzgerald, M.
Russell, lord J.

PAIRED OFF.

Forbes, visct.
Shelly, sir John
Lawley, F.
Ponsonby, hon. F.
Sykes, D.
Mostyn, sir Thos.
Lloyd, sir E.

ADDRESSES FOR MONEY—STANDING ORDER.]—On the motion of Mr. Wynn, it was resolved, "That this House will not proceed upon any motion for an address to the Crown, praying that any money may be issued, or that any expense may be incurred, but in a committee of the whole House; and that the same be declared a standing order of the House."

HOUSE OF COMMONS.

Friday, February 23.

CONDUCT OF MR. JUSTICE BEST—PETITION OF THOMAS DAVISON.]—Mr. *Denman* said, he held in his hand a Petition on a subject highly important to the due administration of justice. The petition was from Thomas Davison, formerly of Duke-street, West Smithfield, but now a prisoner confined in Oakhampton gaol. The petitioner complained of having been fined whilst making his defence by Mr. Justice Best, before whom he was tried in October last, at Guildhall. The petitioner was tried for a blasphemous libel, and in the course of his defence he was fined three times by the learned judge. The first was a fine of 20*l.* inflicted on the petitioner, because he stated to the jury, that no counsel at the bar would enter into an honest defence of the defendant under existing circumstances. The defendant, in the course of his defence, was afterwards fined twice, each time in a sum of 40*l.*; so that during his defence he was fined 100*l.* He was not aware that there was any instance of any man having been ever fined for what was said by him whilst defending himself against a charge brought against him in a court of justice. That fact was worthy the attention of the House. The petitioner had entered into a sort of legal argument. He had cited the case of sir Walter Raleigh, who was certainly on his trial severely handled by sir E. Coke, but who in his defence uttered sentiments which were at the time deemed to approach to high treason; nevertheless the court heard him, without any attempt to impose a fine for his expressions. The next case was that of Prynne, Bastwick, and Burton, who were brought before the star-chamber, where it was the practice to proceed in a great degree by written documents. Prynne and the others, in their written defence, arraigned the conduct of archbishop Laud in terms of such severity, that the archbishop urged the star-chamber to reject the defence, and fine the parties for venturing to make it. The star-chamber, however, refused to reject the defence, although they admitted its culpability; and observed that, scandalous as it was, and an aggravation of the offence, yet as the defendants deemed it necessary for their own cause it ought to be received. There was also the case of colonel Lilburne, in the time of the Commonwealth; and although he indulged in the most violent attack and vituperation upon the judges, yet he was not only not fined, but, was acquitted. In examining the books, he also found, in the 1st of Henry 5th, the case of lord Cobham, who was tried for heresy, an offence which, if the power existed, was very likely to call for the interposition of the judge, if a defendant pressed his sentiments with unusual warmth; and yet in that case, although lord Cobham arraigned the conduct of the archbishop of Canterbury, to whom he applied the most violent language, yet he was never stopped. There was a late case of the "King *v.* Williams," before lord Kenyon, where a gentleman of the bar was defending the party for publishing Paine's "Age of Reason," and was interrupted by the learned lord, who considered him as embarking directly in the defence of the doctrines promulgated in the book. The learned counsel informed the judge, that unless he could proceed in the line he had been pointing out, it was impossible for him to do justice to the case of the defendant. The court, upon hearing this declaration, refrained from interrupting him during the remainder of his defence. Indeed, every reference which he had made to the practice of the courts confirmed him in his opinion that the power of fining under such circumstances was novel. When he denied the right of the judge to inflict a fine upon a defendant, he begged not to be understood as for a moment calling in question the undoubted right of the court to punish for contempts, to remove obstructions, to preserve order, and to vindicate its own dignity in the most prompt and effectual manner. But, when it went beyond the necessary removal of obstructions, and the vindication of its own dignity, he thought its proceedings ought to be watched with a jealous eye. The power of fining, in the manner in which Mr. Justice Best was represented to have fined this defendant, was capable of obstructing, rather than aiding the ends of justice. Suppose for instance, a man were indicted for a libel, he had a variety of protections thrown around him by the law, before he could be visited with any penalty. There were all the advantages which he might have from any defect in the technicalities of form, and there was the verdict of a jury. But, in the case of a fine imposed in this manner, the defendant had nothing to depend upon but the will of the judge. There were many other reasons which forced themselves upon the mind in considering this subject. The defendant stated one very powerful one;—namely, that the imposition of the first fine had intimidated him, and prevented him from going on with his defence in the manner he intended, and which would have been calculated to serve his cause with the jury. It would be no answer to say that, notwithstanding the fine, the defendant went on fluently and firmly; for no person but himself could state what passed in his mind at the moment. The defendant, in conducting his own cause was only exercising a discretion which was open to all men: and most certainly it had happened, that individuals had succeeded with juries, where, in all probability, counsel would have failed. A defendant might be indicted for a libel under circumstances which, if he suffered judgment to go by default, might expose him to no greater punishment than a fine of 50*l.* And yet, according to this doctrine, if he ventured to defend himself, he might, by incurring the displeasure of the judge, incur a ruinous accumulation of fines far exceeding the penalty had he pleaded guilty at the outset; so that the spirit of his defence might possibly lead to a tenfold aggravation of the penalty which would attach to a conviction for the offence, had he not said a word in exculpation. Suppose the party were a poor man and unable to pay a fine of this nature, then he must square his defence according to his poverty, and proceed to address the jury with his mind fettered with the terror of an indefinite imprisonment, should he drop a phrase at which the judge might take objection. There was another very strong objection which he had to this mode of proceeding, it was this:—that it committed the judge, as it were, personally with a defendant, a most unfavourable and unsuitable circumstance to appear in a court of justice. [Hear.] It was true that in this particular case, Mr. Justice Best, in charging the jury, took care to assure them that what had been done by the defendant should not operate against him in his mind, in summing up the evidence. The hon. and learned gentleman then read the prominent parts of the petition. He repeated his doubt upon the right of the court to construe these expressions of the defendant (however improper they might have been) into a contempt of court. All he desired at present was to have this petition printed; He meant to move nothing further unless he received some encouragement from the House. He certainly thought the subject of the highest importance; for it might so happen that the defendant could have saved himself from his present sentence; and, in that view, the circumstances, when examined, might possibly justify an address to the Crown for a mitigation of punishment. He begged to disclaim any desire to countenance interference with the decisions of courts of justice. The greatest mischief must result from such a practice, unless in extreme cases. He then moved, that the said petition be brought up.

Mr. *Hobhouse* thought that the petition deserved the attention of the House. Although he had searched with the utmost care, he had been unable to find a single case bearing on the question before the House. The absence of any similar exercise of power by a judge, amounted, he apprehended, to a proof of the illegality of the practice; for, according to lord Coke, as usage proved the intendment of the law, so non-usage proved what was not intended by the law. The strongest authority in favour of the existence of such a power was that of judge Holt, who said, that if a defendant was guilty of contempt, the judge might issue a warrant against him, if the contempt was committed out of court, or fine him if it was committed in court. This, however, was only the dictum of a judge, and as such could not be opposed to the law of the land. When judge Jeffries was on the bench, William Penn had been fined forty marks for refusing to take off his hat in court, and the jury had been imprisoned for giving a verdict contrary to the opinion of the bench. But, though Penn had insulted the bench, he was not fined for any expression made use of in his defence, but solely for refusing to pull off his hat; and surely what had been too much for judge Jeffries to do ought to be too much for any judge of the present time. In the 3rd Institute of Coke, p. 142, there was a report of the case of William Bruce, who, though he had grossly insulted the court, had not been fined for his conduct. A verdict having been found against Bruce, he addressed the judge in those words—"Roger! Roger! now thou hast thy will of me," and on being asked what he meant, he added, "what for a long time thou hast sought, my loss and my shame; and I will think of it, and reward or recompense it." Here though the judge had been insulted, and though the offence of the defendant was deemed so great that he had afterwards been indicted for it, still it had not been attempted to fine him. But, if even a thousand adjudged cases could be produced in favour of the practice, they were not to be regarded as legal precedents, if contrary to the common law of the land. If the law allowed the imposition of such arbitrary fines, Mr. Fox's libel bill was useless; for a defendant might by this power be so crippled in his defence, as not to be able to avail himself of the benefit which that act was intended to give. Let the expressions used by the defendant in this case have been ever so gross, that had nothing whatever to do with the question before the court; for, however the grossness of the language might be proper matter of consideration in awarding the amount of a fine, it never could of itself give a judge the power of fining. The late lord Ellenborough on the trial of Eaton, though the defendant introduced the most blasphemous and libellous matters in the course of his defence, had said, that he thought it better for the ends of justice to let him go on. The House should bear in mind that the ermine with which a judge was clothed did not invest him with infallibility. The present case was one that loudly called for the interference of that House, and he hoped they would see the propriety of putting a stop to a practice so inconsistent with every principle of justice.

The *Attorney General* said, he did not understand that his learned friend had denied the legality of the proceeding of the learned judge; though the hon. seconder had roundly denied it. His learned friend, however, doubted the legality of the power to fine a defendant for contempt. His learned friend could not have been present when the question was fully discussed in the court of King's-bench and when all the judges gave their deliberate opinions upon it. The petition called in question the propriety of the decision of that court. The offence for which the defendant was tried, was not a political, but one of the most disgusting of blasphemous libels. He would read one short passage.

Lord *John Russell* believed it was contrary to order to read any statement from a printed paper, without the express permission of the House.

The *Speaker* said, it was true, that no person, without leave of the House, could read from a printed paper though this rule had not been strictly insisted upon.

The *Attorney-General* said, he should read a very short passage. The defendant in his libel intreated his countrymen to throw from them that book (meaning the Bible), which was full of blasphemy, lies, and uninteresting nonsense. The House must know that it was the practice of persons who were charged with such an offence, to reiterate the libel on their trial, and, indeed, to utter worse blasphemy. In that case, the judge had to determine whether he could suffer such a proceeding. The defendant had come prepared with a long written defence. In that defence, after he had been admonished by the judge, he attacked the whole profession of the law. For this he was not fined, but was checked by the judge; upon which he conducted himself with the greatest insolence, held out his hand in a menacing manner, and said, "If you wish to send me to your dungeon, here is the key." For this he was fined 20*l.* and having persisted in his blasphemy, he was fined 40*l.* more, and also a third time. After this he pleaded his wife and children, and his inability to pay the fines, on which the judge remitted them, because they had answered their purpose, by checking the inundation of blasphemy. The question was brought before the King's-bench on a motion for a new trial; a rule was granted to shew cause, and the case was deliberately argued. After argument, the judges were unanimous in their opinion of the propriety and legality of Mr. Justice Best's conduct. After this deliberate decision in a court of justice, the petition could not be received with the allegation that the learned judge had acted illegally. If his learned friend thought that the law ought to be altered, he might present a bill to that effect; but that House had not yet assumed the power of acting as a court of appeal from the court of King's-bench. The petition was the more objectionable on account of the last allegation, which was false and absurd, namely, that the learned judge had imposed the fines to obtain his own end—the conviction of the defendant.

Mr. *Creevey* was of opinion, that the petition had been properly presented. He must say that he thought Mr. Justice Best a very intemperate judge. He had shown himself intemperate on the trial of sir F. Burdett, at Leicester: he had shown himself intemperate in resorting to the practice of which this petition complained. He was the only person on the bench whom he would call a political judge: that was the designation which he would give to Mr. Justice Best. Happily, however, the House knew that he was not infallible; for when he had a seat in it there was no party with which he had not acted.

Mr. Serjeant *Onslow* said, that having known the learned judge, and enjoyed his friendship for the last forty years, he could not sit still and listen to the language of the last speaker. He requested to know whether such language was not disorderly.

The *Speaker* said, he had not conceived at the moment that it was his duty to interfere, whatever the opinion of the House might be as to the decorum of the hon. member's observations. It had appeared to him, that the the hon. member was making reference to the motives under which the learned judge had decided, which was the gist and gravamen of the petition. He still considered, that the hon. member was not out of order.

The *Solicitor General* said, that the hon. member had taken an opportunity to charge intemperate conduct on the learned judge and had referred to the proceedings of that learned person on the trial of a member of the House. He would ask, what there was in the conduct of the learned judge on that occasion, which called for such reprehension? As to the merits of the publication which was the subject of that trial, there could be no doubt that it was of a most malignant nature. All the judges of the court of King's-bench, even Mr. Justice Bayley, who differed from his brothers on the point of form, agreed that it was a malicious and malignant libel. But, on the point of form the majority of the judges concurred with Mr. Justice Best. Yet the hon. member for Appleby accused Mr. Justice Best of intemperance. When they talked of intemperance, what was the character of the hon. member who made such a serious charge upon such slight grounds? As to the petition of Davison, it contained an incorrect statement of the proceedings on his trial.

When that person began to make an attack on the gentlemen of the bar, the judge said, "I allow you the greatest latitude in your defence, but you must not make it the opportunity of uttering libels on others." With that reproof the matter terminated. The petitioner stated that he was then fined, which was not true; for it was in reply to this admonition, that extending his hand to the judge, the defendant said, "If your lordship has the dungeon ready, I will present you with the key." For that he was fined 20*l.* It was manifest that the object of the defendant was to be imprisoned for contempt, so that the trial might have been interrupted. To impose a fine was therefore the only course that remained to the judge in order to preserve decorum. The defendant then proceeded to libel the first ranks of the country, and particularly the bench of bishops, as disbelievers. For this he was again fined, and subsequently a third time. The defendant complained that he was embarrassed; but the learned judge desired him to take his own time, and to pursue any legitimate course of defence in his own manner. This was a correct history of the proceedings at the time; and if the affair had stopt here, would the House have had a right to interfere? But this was not all. The defendant applied to the court of King's-bench, and the case was argued with respect to the law, the merits, and the hardship of it, with all the advantages that learning, ability and zeal could give. The cases mentioned by the hon. member for Westminster, were then quoted. The decision of the judges was unanimous; and unless the House made itself a court of appeal, the petition could not be suffered to lie on the table.

Mr. *Lockhart* declared himself quite satisfied with the explanation which had been given as to the conduct of the learned judge in the case under discussion. There could be no doubt as to the power of a judge to punish for contempt; for without such a power it would be impossible for a judge to preserve order in court, or to administer justice. If a defendant, under the pretence of pleading his cause, thought proper to indulge in blasphemous, or seditious language, how was the judge to silence him? The judge could not be required to use physical force, for the purpose of restraining such an offender; and if he were to order him out of the court while the trial went on in his absence, a much louder cry might be raised. No defendant should be permitted to repeat his libellous language in court, with aggravating additions, under the pretext of defending that language.

Mr. *Scarlett* expressed his regret that he was not present when the petition was read, as he was therefore unable to pronounce any opinion upon its merits. But, if it disputed the power of a court of law to punish for contempt, he certainly could not concur with the petitioner; for there could be no doubt of the existence of such power. He was not present at the trial referred to by the petitioner, and therefore he could give no decided opinion upon it, but could have no doubt that the judge would exercise a sound discretion in preventing a defendant or any other person in court from violating the rules established for the better administra- of justice, or from controverting every position of the law and the gospel. If, indeed, the judge did not possess such a power, a defendant might resort to any excess of irregularity; for instance, he might place himself in such a position towards the jury as would be grossly indelicate and indecent, under the pretence that he could only defend himself in such a position; and surely in such a case the judge should have the power of controlling him. If, then,the judge ought to have the power of preventing personal indecency, why not that also of prohibiting the moral and religious indecency of controverting every position of the law and the gospel. With regard to what had been observed as to the deference due to the judges, no man more strongly felt that deference than himself; but that feeling should not restrain him from questioning the conduct of any one or more of the judges, where that conduct appeared to him to be erroneous. He should, however, always express his dissent from such high authority with great diffidence; but that diffidence could not restrain him from making a few remarks upon a recent case, where a fine was imposed upon a journalist for publishing certain trials contrary to the order of the judges. This was, in his opinion, carrying the doctrine of contempt much too far. The publication of a trial in any British court with fidelity was certainly no offence, and therefore could not legally be construed into contempt; yet in the case to which he alluded, the journalist was fined for publishing a trial, without a charge of any want of fidelity in the report. Now, if it were allowable to punish a man for publishing a trial, he could not see why others might not be punished for reading it when published: nay, that any one who happened to speak of whatever occurred in court, after the interdict of the judges against publication was issued, should not also become the subject of punishment. The principle upon which this fine was levied, was indeed such, that according to it there could be no end to the doctrine of contempt. But there was in fact no precedent whatever to sustain this principle. In any of the higher courts of Westminster-hall, an attachment could be issued to bring any party before it, who was conceived guilty of contempt; but no such power belonged to any court of quarter sessions, or special commission. The authority of such courts did not extend beyond its own limits as to contempt. The special commission alluded to had not, in his judgment, any right to call a party before it for contempt of its order out of court, and having no right to call any party, it had no power to hear that party in his defence, and consequently no right to inflict the penalty to which he referred.

Sir *F. Blake* objected to this petition as being too inflammatory; but he begged it to be understood, that he was a decided advocate for the right of petitioning upon proper subjects and in adequately strong language; and what language could be stronger than *nolumus leges Angliæ mutari?* From his solicitude for the right of petitioning he had voted last night, for referring the petition respecting the misconduct of the sheriff of Dublin to a select committee; for if such outrages were overlooked, he should not be surprised to find another Cromwell taking military possession of that House.

Lord *Castlereagh* observed, that as no doubt appeared to be entertained upon the legality of the judge's conduct to which the petition referred, and as the court of King's-bench had solemnly adjudged that conduct to be correct, he saw no reason why that House should at all enter into the subject. If a defendant availed himself of the indulgence afforded him of making his own defence to commit fresh crimes, was his attempt to be tolerated of committing still further crimes, in the shape of a petition to that House? It would be quite inconsistent with the sober exercise of the right of petitioning to allow conduct of this nature. The right of petitioning was a privilege which could never be brought into question except by its own abuse. It was proper, that on this occasion, the House should express its opinion of such attempts, as there appeared a growing disposition, on the part of the public, to drag every subject before the House—a disposition which was fed by the facility with which members lent themselves to present their petitions. As this was the case, he could not do better than call the attention of members to the way in which the House had been engaged during the month they had sat. More than half that time had been employed in discussing petitions from various places. He meant those applications to the jurisdiction of the House, in matters in which it afterwards appeared that the House, in the exercise of its discretion, decided that it ought not to interfere. He thought this ought to be a caution to gentlemen not to be too ready to listen to such applications as the present; and that when made to them, it ought to be pointed out when the cases were such as the House should not interfere with. The present was a case in which as it appeared to him, the House could not do better than to mark its sense of such applications by not allowing the petition to be brought up.

Mr. *J. P. Grant* said, that it was too much for any minister to talk of admonishing the people upon the exercise of their inalienable and most sacred right, or that the time of the House was misapplied in discussing their petitions. As to the petition under discussion, he could not decline voting for its reception, upon the ground that it referred to the conduct of a judge; feeling, as he did, that it was competent to that House to take cognizance of the conduct of any judge, however high his character.

Lord *Castlereagh* explained. If the House permitted the petition to be brought up, it would be an admission that the subject of it was matter fit for the consideration of the House.

Mr. *Bright* said, that this was not to be regarded as a mere question of legality, but as an appeal to that House upon its great constitutional privilege, according to which, it was competent and imperatively bound to superintend the proceedings of the judges, and to watch with jealousy the manner in which justice was administered. It was known, indeed, from history, that judges had often acted wrong, and by that House they had been set right. But where was the remedy for mal-administration on the part of the judges, if that House, acting upon the false delicacy of which he had heard too much that night, should decline to interfere upon any charge against a judge? He did not mean to say that Mr. Justice Best had acted wrong, or that that judge would not be able to justify his conduct in argument; but this he would maintain, that he would find it difficult to do so upon precedent. There was not, he believed, any one precedent for such a proceeding, as a judge inflicting three fines on an individual under such circumstances. The fact of his afterwards remitting them was, in his mind, an admission that he had been wrong. If this was to be considered the law, the people of England should be informed of it; the House of Commons should know it, in order that a remedy might be applied. If this doctrine of inflicting immediate punishment for alleged contempt were to be acted upon, it would lead to most horrible aggression. It should be considered whether a discretionary power should be given, which might be exercised at the very moment when the feelings of the party exercising it were roused. If this were to be held as law, it was a most dangerous one, and a remedy for it could not be too speedily applied. Looking at all the circumstances of the case, he thought they were such as justified the petitioner to make the present application; which, in his mind, ought to be embraced, in order to set the matter at rest.

Mr. *Hutchinson* said, it was not to be endured, that a minister of the Crown should declare, that a petition complaining of a grievance should not be brought up. Was it not too much that it should be assumed that the petitions of the people were so immoral, seditious, and blasphemous, that they ought not even to be heard?

Lord *Castlereagh* said, it was true he was a minister of the Crown, but he was also a member of parliament, and he had yet to learn that he was to be precluded from offering any observations to the House, upon any subject before it. If there was to be no discussion allowed upon the question of bringing up a petition, it was unnecessary to have it put to the House from the Chair.

Lord *Althorp* expressed a wish to have the doors of that House thrown wide open for the reception of the petitions of the people. As to the language of a petition, he thought the House should not object to any strength of expression which naturally arose out of the case of a petitioner, for otherwise a case of great oppression or injustice could not be adequately described; but he would object to any strong language which was not strictly relevant to the matter of complaint.

Mr. *Wynn* thought, that a complaint of a decision in the court of King's-bench, was not a fit subject for a petition to that House. He was far from maintaining, that the conduct of a judge might not be so flagitious and unconstitutional as to be a fit subject of parliamentary inquiry. If any member was satisfied that such had been the conduct of the judge in the present case, the proper course would be, either to lay a charge upon the table by way of impeachment, or to propose an address to the Crown for his removal. If the House sanctioned the present application, where would they draw the line?

Mr. *Bernal* would put it to the noble lord, whether the present was the time when they should discourage the petitions of the people. In the present state of the public feeling he would open the doors of the House as much as possible to their petitions.

Mr. *Huskisson* said, that the general practice on presenting petitions was, to state their nature and object, in order to let the House see whether they were such as ought to be received. The reading of the petition would inform the House of the language; but the matter should be stated before it was brought up, and the House would decide on that matter. He understood that the present petition contained a charge against one of the judges, that the petitioner had been illegally fined by him, and that the judge having thus gained his end of preventing his defence, had remitted the fine. Now this was a gross charge; and the question was whether they would receive a petition which was admitted to contain a libel.

Mr. *Denman*.—I did not say it was libellous.

Mr. *Huskisson* maintained, that if the petition contained this charge, it was a libel, and it ought not to be received. It had been said that if this petition was not received, the House would be shutting its doors against the petitions of the people; but he contended, that the rejection of such petitions would be a benefit to the people.

Sir *R. Fergusson* said, that the plain question before the House was, whether this petition should be rejected unheard, and unread? If the language of a petition was decorous and respectful, it was a matter of course that it should be read; if afterwards it appeared to be inadmissible, it was in the discretion of the House to receive or reject it.

Mr. *G. Bankes* thought that the petition ought to be rejected. The learned gentleman had said, that he was not prepared to propose any ulterior step. Besides the petition contained an imputation against a learned judge which was false upon the face of it. Though he did not stand up in that House as the advocate of the learned judge, and it would be unbecoming in him to assume that character yet he could not help regretting that the name of that venerable person had been brought before the House, in a manner so much to be deprecated.

Mr. *Curwen* trusted, that whenever a judge was found corrupt enough to pervert the laws, there would never be wanting bold and independent men in that House, who would bring their conduct before parliament. He rejoiced that the subject had been brought before the House; he was before disposed to think not very favourably of the conduct of the learned judge, but this discussion had satisfied him that his conduct had been perfectly correct. It was the right of the people to complain to that House of the conduct of courts of justice. If, when the petition should be read, it should be found to impute to the learned judge, a desire to obtain a conviction, then he would concur in rejecting it. When the noble lord talked of reading a lesson to the people of England, not to come to that House with their complaints, did he consider the consequences of the people being compelled to look for redress by other means at the expense of the constitution? There was a point—he would not say where—but there was a point, at which resistance was a virtue and a right; and if the petition were refused to be brought up, the moment at which we should arrive at that point would be accelerated.

Sir *C. Long* said, that what he understood his noble friend to mean was, that he was desirous of admonishing the people not to present petitions upon subjects which could not properly be inquired into in that House. The charge against the learned judge was no less, than that he had interrupted the petitioner in his defence, for the purpose of obtaining an illegal verdict against him; and that, having effected his object, he remitted the fines which had been imposed upon him. He thought the House was bound to reject a petition in which so flagrant an offence was imputed to the venerable judge, without the slightest foundation.

Sir *J. Newport* said, it had been urged that the administration of justice was not a fit subject for the control of that House, for what purpose, then, was the committee of justice appointed every session? He trusted that whatever might be the opinion of the House as to its admissibility when they heard the petition read, no objection would be made to it being brought in.

The *Chancellor of the Exchequer* said, that the only petitions which were received as a matter of course in that House, were election petitions. All other petitions were liable to be received or rejected as that House thought fit, and it would be found, upon reference to the Journals, that the House, had exercised that discretion in a variety of instances. Indecorous language was a good ground of rejection, and in this case the language was admitted not only to be indecorous, but libellous. It contained an imputation upon a learned judge which was believed to be false by the learned gentleman who presented it.

Mr. *Denman* said, he had never stated that the petition contained a libel on the learned judge; he had said, indeed, that it contained a charge against him, which, knowing the learned judge as he did, he did not believe to be true; but, if the man believed the charge to be true, he had a right to state it in his own language, and if parliament was a part of the constitution he had a right to lay his grievances before that House, and if necessary, have an opportunity of proving them. If no charge was to be entertained by that House, because, if false, it might be libellous, there was an end to the doctrine of impeachment; for how would it be possible to impeach, if no charge could be made, which, in the event of its being disproved might turn out to be libellous? An hon. gentleman thought that no petition ought to be received unless some specific measure were founded upon it;

forgetting that it was a breach of privilege to point out any specific measure in petitioning parliament. But in point of fact, he had pointed out two specific measures, for he had stated that the matter might either be referred to the grand committee of justice, or to a particular committee which might judge of the expediency of founding some legislative measure upon it, with a view of limiting the excessive powers of courts of law, in cases of contempt. The attorney general had said, somewhat invidiously, that he had not ventured to express any doubt of the legality of fining for contempt. On the contrary, he entertained the strongest doubts whether the expressions of the petitioner were such as justified the learned judge in imposing the fines. At all events, it was a fit subject of inquiry by that House, whether in a particular case, a venerable judge acting without precedent, had or had not overstepped the powers vested in him by law.

The House divided: Ayes, 37; Noes, 64.

IONIAN ISLANDS.] Mr. *Hume* rose, pursuant to notice, to bring under the consideration of the House several particulars relative to the state and revenue of the Ionian Islands. Whilst the attention of parliament was so justly called to the means of effecting a reduction of our public expenditure, he was persuaded that the colonial department was that in which an immediate saving might be most easily made. This he should take an opportunity of proving most satisfactorily in the course of the session, but he should confine himself that night to a few circumstances relative to the Ionian Islands. They could not be considered in every point of view as colonies, but as a state in a great measure dependent upon us. We, in fact, had the direction of their affairs, and had bound ourselves to make good the deficiencies of their revenue; or, in other words, to pay whatever excess of expenditure might arise, or be created, by ourselves. The hon. member here took a rapid review of the affairs of these islands since the treaty of Paris, by which their independence was acknowledged. Their revenue had originally been adequate to all the charges upon it, and their government was conducted upon the principles of a regular and systematic economy. But the presence of a British force, and the influence of the British government, had, entirely changed this system. A variety of useless offices had been created, or at least filled, by the friends of ministers. Although the militia was not embodied, four inspectors had been appointed with considerable salaries; and one of them, the hon. colonel Stewart, had since he received the appointment, been travelling about, or amusing himself in this country. This was surely contrary to the intention and spirit of the treaties. With regard to the military staff, it was everywhere overgrown, but was nowhere more easily reducible than in these islands. But the civil officers had also, he understood, received an increase to their salaries; and the allowance to the chief of the senate had been raised from 4,000 to 8,000 dollars. Whilst 44,000 dollars had been charged to us for the necessary repairs of fortifications at Santa Maura, a splendid palace was now building, which would not cost less than 80,000*l.* What rankled in the minds of the natives was, that whilst many young men, he might say boys, from this country, were receiving 500*l.* or 600*l.* a year, their own bishops, in consequence of the change in church property, were receiving stipends of 150*l.* per annum. The order which had been instituted there, called the order of St. George, and which would lead to an expense of 40,000 dollars in brilliants, had, instead of being conferred upon the most deserving natives, been confined to the friends of the noble lord, and of sir Thomas Maitland, or those who had rendered themselves subservient to the British government. His motion would show what was the necessity under which Great Britain had been called upon to pay 130,000*l.* in consequence of the cession of Parga. It was charged against the lord-high-commissioner, that whereas, before his arrival, the civil officers of the state had been looked upon as offices of honour, and were filled, like those of our own magistrates, without any emolument, he had thought proper to allow salaries to them all, and had greatly increased allowances to others: the effect of which was, to swallow up and appropriate the whole of the Ionian revenue. By this means all those offices became dependent upon the high-commissioner; and the very judges might be removed at his discretion. The natives had found in our protection none of those blessings which they were taught to expect; but the additional taxes, and, above all, the exactions levied without any other authority but the commissioner himself, had produced deep irritation, and had already led to many disastrous consequences. The House would not do its duty if it gave a single shilling of the money of Great Britain to maintain civil or military establishments in the Ionian Islands, without knowing how the local revenue of these states was managed and expended. He begged leave to say, that he spoke of the lord-high-commissioner only as a public man; as he knew him only in his public capacity. He entertained no personal feeling towards him, as he possessed no personal knowledge of his character. The hon. gentleman concluded by moving, for a detailed abstract of the revenue and expenditure, both civil and military, of the Ionian Islands during the years 1817, 1818 and 1819.

Mr. *Goulburn* said, that it had formerly been the practice to call for papers first, and to discuss them afterwards if granted; or if they were refused, to show from the best sources that could be applied to, that there existed grounds for demanding them. The hon. gentleman had reversed that order; and, even when there existed every disposition to grant him the documents required, proceeded on imperfect or erroneous statements, when by waiting a little longer he might have obtained official and certain information as the basis of his reasoning. He proceeded to state facts in a motion for papers without waiting to see whether the papers might not falsify his facts. To this novel mode of proceeding he must strongly object; for whatever the hon. gentleman might say about his unwillingness to cast imputations, the effect of his speech was, to cast the greatest imputations when he accused the lord-high-commissioner of facts which showed that he pampered his vanity and increased his patronage, to the oppression of the inhabitants, and the detriment of the public service. The right hon. gentleman then proceeded to answer the different statements of Mr. Hume's speech; and contended, that so far as they impeached the character of the lord-high-commissioner, they were unfounded. He admitted a great increase of revenue and expenditure; but the increased revenue arose from a better system of collecting the taxes, and not from the imposition of new burdens. The revenue now appeared greater, because it was not diverted into the private channels in which it formerly flowed but was directed into the public treasury. It was true that they were formerly considered as gratuitous, but now they were compulsory. He denied the confiscation of church property for the use of the public chests. The truth was, that one of the first acts of the administration of sir T. Maitland was a bill to restore to its original destination church property, which, during the different previous transfers of the islands, had been confiscated by successive governments, and vested in individuals. Hence one cause of the tumults in Zante, excited by the persons interested in withholding from the church its due. Another cause was, the delusion spread by the same persons that the militia was to be sent to our West India plantations.—On the subject of the increase of salaries, the hon. member had been betrayed into great error. For instance, he had stated the salary of the lord-high-commissioner to be 2,000*l.* a year, when in fact it was only 1,000*l.* The hon. gentleman had also observed, that sir T. Maitland had filled his staff with his own relations. This was the first time he had understood that lord Sidney Osborne, sir F. Hankey, &c. were connections of sir T. Maitland. With regard to the next charge against sir T. Maitland, that he had prevailed upon the senate and legislature to build him a palace, it was equally ill-founded. A palace was a grand word, but *palazzo* did not always imply our idea of a palace, being a phrase often for a house. The House would scarcely believe that the alleged ostentation of the lord-high-commissioner should have been hitherto satisfied with one bed-room and a sitting-room for his secretary. This was all his palace. His dining-room was appropriated to the senate during its sittings, and his drawing-room was the hall for the legislative assembly. The only rooms which he held exclusively were two, his bed-room and a room for his secretary; and on occasion of the opening of the sessions, instead of a splendid procession, the lord-high-commissioner, in giving an account of the ceremony, said, "I stepped out of my bed-room into the senate-house of the states." The next thing, brought in the shape of a charge, was, the star of the order of St. Michael, worth 40,000 crowns, which was voted to the governor; but the fact was, that, as the hon. gentleman had doubled the salary, he now quadrupled the value of the star, for it was not worth

10,000 crowns. The governor refused it twice, but at length this mark of favour was forced upon him by the legislative assembly. The hon. member had also stated, that the persons employed in the Ionian Islands by the governor, were not of the first respectability. Would the hon. member admit that those whom the Russians employed were respectable? If he admitted that, then he (Mr. Goulburn) would be ready to show that the others were of the highest consideration, though, perhaps, not of the greatest fortune. The right hon. gentleman proceeded to defend the act of remitting 44,000 dollars due from the island of Santa Maura, which sum had been applied to providing the temporary means of existence for the expatriated Parguinotes. The course recommended by the hon. member of imposing the expense of the military protection of the islands upon the inhabitants, would have been most unjust and oppressive, as well as a direct breach of the treaty, and would have induced the Ionians to consider their connection with Great Britain a curse rather than a blessing. He concluded by declaring, that to some parts of the motion he should agree, but to others he could not; for it would be to exercise a control over an independent government, not fairly amenable to the orders of that House.

Colonel *Davies* said, that at a moment when economy was so indispensable, it ought to be as rigidly pursued in the colonial establishments as in any others. He corroborated the statements of his hon. friend, and lamented that matters of such moment should be discussed in so thin a House.

Lord *Castlereagh* said, that the House ought to be obliged to the hon. gentleman who brought forward this question because it enabled his right hon. friend to justify and defend the measures of sir T. Maitland. As the information sought for would be granted, he suggested to the hon. member, without meaning to discourage his praise-worthy industry in matters of public economy, the propriety of abstaining from attack until he had first got his information. Than sir T. Maitland there could not be a more honourable man: he had been a blunt soldier, before he became a statesman; and so far from being a person who would tolerate, there was not in existence a greater enemy to jobbing than that gallant officer.

The motion was agreed to.

HOUSE OF LORDS,

Monday, February 26.

LAW OF TREASON—IRELAND.] Lord *Holland*, pursuant to notice, presented a bill for extending to Ireland certain provisions of an act of William 3rd, relative to trials for Treason. His lordship observed, that great part of the provisions of the act alluded to, which were undoubtedly wise and humane, had already been extended to Ireland. There remained, however, two provisions which had not been so extended; namely, one requiring an act of treason to be proved by two credible witnesses, and the other enacting, that a prosecution for treason must take place within three years after the commission of the act of treason. The latter provision rested entirely upon this act; it never having been before a part of the law of England. With regard to the former enactment, the history of it was more complicated; by an act of Edward 6th it was declared that every act of treason must be proved by two competent witnesses; but by an act of Philip and Mary all the acts respecting treason were repealed, and it was enacted that that offence should be tried according to the common law. The question then arose, whether, under the common law, it was necessary for an act of treason to be proved by two witnesses, and it subsequently appeared, that all the judges, with the exception of lord Coke, were of opinion, that two witnesses were not required. This question, however, was set at rest in 1695, so far as regarded England, by the act alluded to of William 3rd; and it having been decided by the judges of Ireland, that the common law did not require two witnesses to prove an act of treason, he was anxious to assimilate the law upon this subject in Ireland to the law of England.

The Earl of *Limerick* returned his warmest thanks to the noble lord for bringing forward his measure. It was most desirable that Ireland should be placed on the same footing with England in every respect. Nothing would tend so much to conciliate the people of Ireland as the conviction that the same law and the same rule applied to both countries.

The bill was read a first time.

HOUSE OF COMMONS,

Monday, February 26.

Scotch Court of Admiralty—Compensation to Clerks.] The Lord Advocate moved the order of the day for the further consideration of the report on the compensation to the clerks of the Admiralty court of Scotland.—On the motion that the resolution be read a second time,

Mr. *Creevey* said, he should move as an amendment, that it be read a second time this day six months. The resolution stated, "that it is expedient that compensation be made to the clerks of the Admiralty courts of Scotland for any loss they may sustain by any regulations that may be made in the said court." Such a proposition as this was what he conceived the House would never agree to. There were bills before the House by which fees in other courts were taken away and salaries given; but they differed materially from the abstract declaration of the present resolution—that compensation should be given if they happened to lose their fees. The only foundation for this measure was, the fourth report of the parliamentary commission of 1814. The only thing that was said in that report was this, that the chief clerk of the Admiralty judge of Scotland had emoluments amounting to 1,200*l.* a-year, and that for thirty years he had done no work; that he had a clerk depute, who did the business, and who received, by emoluments of one kind and another, 400*l.* a-year. The commissioners recommended that when a new chief clerk was appointed, a condition should be added, that he should do all the duty, and that he should have 600*l.* a-year, and no clerk depute; and certain funds were pointed out, from which the 600*l.* might be paid. What the present resolution had to do with that recommendation he could not see; unless it was supposed that Scotland had taken the alarm at the abolition of one sinecure office.

The *Lord-Advocate* observed, that in other courts of Scotland a practice had obtained of receiving great fees for suitors; for instance, it was common for a suitor to pay 200*l.* for what was called an extract of the proceedings. By an act of parliament, that practice was abolished; but, by the same act, compensation was granted to the officers of the courts whose perquisites were proportionably reduced. It was upon the same principle, that the present compensation was proposed; for, as the practice still prevailed of taking out what was called an extract in the Admiralty court, it was deemed material, to assimilate the practice of that court to that of the other courts in Scotland. This assimilation would reduce the fees in that court to a very inconsiderable sum. But, by that reduction, the clerk of the court who held a patent office under the Crown, would sustain a diminution in his receipts of 6 or 700*l.* Upon what principle of equity, then, could this gentleman have so much perquisite taken from him without compensation, especially as this privation of fees was to take place, not in consequence of any fault of his own, but in order to establish an arrangement for the public good? If the House should agree to the resolution, a bill would be founded upon it, and when that bill was brought forward, gentlemen might fully enter into the discussion of the proposal of compensation.

Mr. *Creevey* said, that from what had fallen from the learned lord, he would not persist in his motion, although he felt that no compensation ought to be granted in this case,

The resolution was agreed to.

Corn Averages.] The House having resolved itself into a committee to which the Corn Averages acts were referred,

Mr. *Robinson* said, that he thought he should best discharge his duty by confining himself to the immediate point to which the resolution with which he proposed to conclude would refer, without entering at all into the more important question as to our agricultural distress. With respect to the averages, as taken heretofore, it was known that a great deal of intricacy and confusion prevailed upon the subject of the laws relating to those averages. The laws alluded to were the acts of the 31st, 33d, 44th, and 45th of his late majesty. As to the latter, they had for some time been repealed in practical operation. Then with regard to the acts of 1791 and 1793, it was rather difficult, upon reference to the act of 1791, to ascertain what the state of the law really was. If the committee should agree to the resolution which he had to submit, it was his intention to propose a bill for embodying all the useful provisions of the existing law upon this subject. The laws, at present, were extremely voluminous as well as confused, and it was his intention, in the bill which he proposed, to reduce the bulk, as well as to simplify the meaning of those laws. His bill would not, indeed, amount to more than one-third the extent of those laws. That bill would, however, comprehend not only omissions but additions; the latter were founded principally upon the recommendation of the committee of last session, before which evidence had appeared to show the evils belonging to the present system. By that system, the average was taken in each of the twelve maritime districts, and from these, collectively, the general average was fixed. But, to form the average of each district, the average was previously taken in each town of that district—that is, the total of the corn sold in each town, as well as the total of the price paid for such corn, and the one divided by the other, constituted the average, and the same division as to the corn and the price in the aggregate of those towns, constituted the average of the district. Such also was the system by which, in dividing the total of the corn by the total of the prices in the twelve districts, the average of the kingdom was fixed. Thus the general average depended upon the average of each of the towns comprehended in each district, and hence it was clear, that the price of corn, in a particular town of any district, might have a very undue influence upon the general average. This influence was found, in some instances, to operate very unjustly, where speculators had gone to particular towns to purchase corn on such terms as to produce a fictitious price. Such instances had, indeed, occurred, not unfrequently. Hence, it was perfectly evident, that the object of the law as to averages was defeated; that object being to ascertain the general *bona fide* price of this article. He proposed, therefore, to abolish the plan of taking the averages from the twelve maritime districts, and to substitute that of taking them from maritime counties and towns, to fix the general average from the aggregate of the corn sold in the whole, divided by the total of the price paid for it. The object of this arrangement was, to defeat such speculations as had been entered into within the last year for the purpose of unduly influencing the settlement of the average. Another alteration which he meant to propose, and which would form an addition to the existing law, although it would produce no influence upon the averages was, to include the counties of Kent, Essex, and Sussex, among those from which the averages were to be taken. Hitherto the average prices were received from those counties, but not inserted among the general averages from the maritime districts, the average of London alone being deemed sufficient for these counties. But why these counties were omitted he could not comprehend, particularly as they were so largely engaged in the Corn Trade. The next addition which he had to propose referred to the power vested in the king and council for the appointment of those towns from which the averages were to be taken. By the existing law the king in council was empowered to transfer the taking of averages from one town to another, upon the representation of the magistrates at quarter-sessions. But he rather thought that the power of the king in council should be enlarged, and that his majesty should be authorised to omit one town without inserting another, as well as to insert any town which, with the advice of his council, it might be deemed expedient to select, from increase of trade and population. Now as to the omission; it was proposed to omit altogether the taking of averages in the midland counties, and in Scotland; for those averages were not deemed material, as the averages in the maritime counties would form a natural criterion of the prices in those districts, the return of averages from which, heretofore, had never had any influence in fixing the general average. Besides, by this omission, a certain saving of expense would accrue to the public, through the abolition of the office of inspectors in such places. But while some inspectors were to be removed, a somewhat better provision should be made for those inspectors who were to be retained; for heretofore an inspector was allowed only 13*l.* a year. The advance of salary which he proposed, he meant to be paid from the public purse, and not from the county funds. He did not mean that in any instance it should exceed 30*l.* a year. The committee were aware that at present every dealer in corn was bound to give information within one month subsequently to the time at which he might begin to act. Considerable inconvenience and much loss had been sustained by the circumstance of the dealer's not being bound to give such information till after the lapse of that period. Last year it happened that dealers in corn, or persons calling themselves dealers, went abroad from market to market, purchasing corn in large quantities, sometimes with money, and sometimes without any intention of payment; but always for the purpose of producing a fictitious price in the returns. There was then no way of finding these persons out. He therefore proposed to give that discretion, for the future, to the inspector, as should authorize him to require that the party making these returns should previously to so making them, have signed a declaration of the kind he had already alluded to. By the bill which he proposed to introduce, it was intended that the inspectors of corn returns should in future be in the appointment of the Board of Trade, and not in the Treasury, as heretofore. They would in future be incorporated as a distinct branch of the Board of Trade. It was also intended, that the Isle of Man should be included in the returns. By the former laws upon this subject, returns were received from that place, and he saw no reason why they should not at present; for it was very possible that large quantities of foreign corn might be imported into that island, and from thence into England. Another part of the bill would be the including Ireland in the returns. It was known that large quantities of corn were imported from that country, some of it of the best quality. By the spirit of the late acts, Ireland ought to have been included; but by a technical misconstruction of the word "British," at the Custom-house, Ireland had not been included in the returns. He would conclude with moving, "That it is expedient that the several acts, passed in the 31st, 33d, 44th, and 45th years of his late majesty's reign, for regulating the importation and exportation of corn, grain, meal, and flour, into and from Great Britain, be repealed, and other provisions made in lieu thereof, for the United Kingdom."

Mr. *Calcraft* said, he had looked upon the averages as settled by the late acts. The bill ought to be viewed with jealousy; and he would therefore watch it in every stage.

Mr. *Baring* could not but express his regret that the right hon. gentleman had brought forward the subject at this particular period. It was calculated to create considerable anxiety, as well among the agricultural classes as the consumers. Policy as well as justice should have prevented the agitation of this subject; seeing that the system of taking averages was understood to have been settled upon the discussion of the last Corn bill. He was the more surprised at the proposition, as it was an opinion pretty generally settled, that the import of foreign corn had nothing whatever to do with the distress of the country or that of its agriculture. The proposed bill, was calculated not only to create uneasiness among the consumers, but to inspire the growers with false hopes.

Mr. *Irving* said, that if the public looked for any relief from the measure they would certainly be disappointed.

Mr. *H. Sumner* said, that the measure would, in his opinion, protect those who were now subjected to fraud.

Mr. *F. Lewis* disapproved of joining the average amount of Irish corn to that of this country, because the Irish corn was of an inferior quality to the English.

Mr. *Curwen* said, that the House was not aware of the injury which the country suffered by the frauds which had been practised in the mode of taking averages. He was sure that, within a very limited period, the country had lost at least a million by the frauds which had been committed. Large quantities of corn were imported from Denmark into the Isle of man, and from thence shipped off to England. The greatest injury resulted to the English farmer from the introduction of foreign grain.

Mr. *Ricardo* conceived that the effect of the measure would be to raise the importation price. An hon. member had spoken of the injury which an accumulation of foreign corn accasioned in the English market. That might be so; but the only remedy for this evil was, for this country to lower the prices of corn nearly to the standard of the prices of the continent. The only way to keep out foreign corn, was by putting high duties upon the importation of it. Now, suppose a year of scarcity had arrived, and that a high duty had been placed on the importation of foreign corn, would any minister at such a time of distress, attempt to enforce that duty—and shut out relief from a starving people? Impossible; and, therefore, the ports would be left open and free, and the immense importation which the hon. gentleman looked upon as so great a misfortune, would take place. Much had been said as to a remedy for the distress of the agriculturist: he was of opinion, that the only remedy for that distress was the total repeal of the corn laws and, sooner or later, a measure of that sort would be adopted.

Mr. *Lockhart* could not see that any alteration in the mode of taking the averages would at all relieve the agricultural distress. The high state of the taxation, at a time when the value of the land was so depreciated, was the great cause of the evil. That evil was, no doubt, greatly increased by the measure which a right hon. member (Mr. Peel) had introduced into that House. If the system which that measure sought to establish was not departed from, the consequence must be absolute ruin and convulsion.

The resolution was agreed to, and a bill ordered to be brought in.

Capital Crimes Defence Bill.] Mr. *Martin*, of Galway, said, that the motion he had to make was a proposition so self-evident, that he had equal difficulty in finding arguments in its favour and against it: it was so reasonable that merely to mention it was sufficient to procure it the strongest support. It was "for leave to bring in a bill to permit persons charged with capital crimes, to make their defence by counsel." The reverse was, in his view, so utterly inconsistent with the benignity of our criminal code; it was so completely unjust to refuse to a prisoner the advantage enjoyed by the Crown, that he would not attempt to argue it. Mr. Justice Blackstone had called it one of the anomalies of the English law, for which he was unable to account. He should move for leave to bring in the bill.

Mr. *Lockhart* said, that there were many solid objections to the measure, and dwelt particularly on the delays that might result in the administration of justice from a change of the existing system. At present, the court was counsel for the prisoner, and he was not aware that within the last century any disadvantage had resulted from the exclusion of prisoners accused of capital crimes from the use of counsel.

Mr. *Martin* maintained that the court did not act as counsel for prisoners, but remained neutral. He referred to the case of Bellingham, where the court had refused to allow delay for the arrival of witnesses to prove insanity.

Mr. *Nolan* contended, that the case of Bellingham was directly against the hon. gentleman. Counsel had there, as in all similar instances, been allowed to make and support the application for delay. He hoped the House would make no alteration in the most humane system of jurisprudence that ever existed in any country of the world. The subject of the motion had engaged the attention of the bar. It was unquestionably one that might give rise to a diversity of opinion. But the result of the opinions which he had been able to collect, was, that the purposes of justice were best attained under the present system. There was seldom or never a case in which the judge did not act as counsel for the prisoner.

Leave was given to bring in the bill.

HOUSE OF COMMONS,

Tuesday, February 27.

Metropolis Turnpike Trusts.] Mr. *D. Gilbert* rose to move for leave to bring in a bill for the better regulation of the Turnpike Trusts in the vicinity of the metropolis. It was well known that the roads about London were the worst regulated in the kingdom; and though the dues levied on them amounted to nearly 200,000*l.* a year, yet still they were a disgrace to the metropolis and to the country. He was happy to say, however, that none of the committees who had investigated the subject had found reason to believe that any of the trustees had abused their trusts. He had in a former session brought in a bill to consolidate all these trusts; but it had been thought that such a plan would not have answered. What he now proposed was, to divide the roads around London into three districts, one of them comprising the roads to the south of the Thames, another those to the north-east, and the third those to the north-west. In each of these districts he would have a limited number of trustees always ready to attend the necessary meetings; while there should be occasionally general meetings of the trustees of all the three districts. The number of the trustees, he thought, should be considerably restricted; for it appeared that the roads were in the worst condition where there was the greatest number; and he proposed that they should be selected by those who at present held the trusts from among the members of their own body. A report had unaccountably gone abroad, that it was in contemplation to place all the turnpikes under the immediate control of the government. He denied that any such intention had ever existed; and had no hesitation in saying, that there could be no surer mode adopted of opening the door to jobs of all descriptions.

Mr. *Curwen* expressed his jealousy of any measure which should take the management of the roads out of the hands of those who had local knowledge. The roads about London were not uniformly bad, the Uxbridge road for instance, was a very good one.

Leave was given to bring in the bill.

West India Dock Company.] Mr *Marryat* rose to present a Petition from the merchants of London against the renewal of the charter of the West India Dock Company. The hon. gentleman addressed the House upon the impolicy as well as injustice of continuing, in an enlightened age like this, such monopolies, which were at once injurious to commerce and to the revenue of the country. He entered into a detail of the many inconveniences and evil consequences to trade generally, and to the trade of London in particular, resulting from the very high rates charged by this company.

Sir *Isaac Coffin* observed, that there never appeared to be much friendship in trade. Each merchant sought his own interest, monopoly was the order of the day amongst them, and beggar my neighbour the object.

Mr. *F. Lewis* animadverted on the abuses which crept into establishments of this nature, through the inattention of the legislature to the precise enactments which they sanctioned. By a clause introduced into the act for the renewal of the East India Company's charter, private traders were admitted into the East India Docks.

Mr. *Robinson* said, it was undoubtedly the duty of the House to watch with peculiar vigilance the tendency of any measure which involved private interests as well as the great commercial interests of the country. There were other docks which had charters, having a longer period to run than the West India; it would be inexpedient, therefore, to make any declaration of the views of government as to the renewal of the charter of this company, until the whole question, as it respected those several charters, had been taken into consideration.

Mr. *Baring* said, the question was one which was intimately connected with the economy of trade. It was a fact, that the establishment of these dock companies, though it was at first a sort of experiment, had proved of the greatest public utility. When they were first established, it was impossible to know how far the rates would or would not afford a sufficient compensation for the capital employed; but now that it had been ascertained that they had greatly exceeded such a compensation, it was an important question for parliament to determine, whether the charters should be renewed. The charter was granted to the West India company, with a restriction that they were never to divide more than 10 per cent. The obvious inference was, that if the rates exceeded such a sum as would afford a dividend of 10 per cent. they were bound to reduce them. They had, however, done no such thing. Instead of reducing the rates, they had, accumulated a sum of no less than 500,000*l.* Prudent men would not incur the, responsibility of dividing so large a sum among the stock-holders, for such a division without the sanction of an act of parliament would be illegal.

Mr. *Gordon* said, he had heard that 500,000*l.* had been offered to be placed at the disposal of the government, as a bribe for the renewal of the charter.

Mr. *Robinson* assured the hon. member, that no sum had been offered to be placed at the disposal of government.

Odered to lie on the table.

HOUSE OF COMMONS,

Wednesday, February 28.

Execution of Murat.] Lord *Castlereagh* said, that a gallant officer had asked on a former night, whether their was an English accredited agent present at the proceedings which terminated in the military execution of Murat? He was now enabled to give the gallant officer an answer. He had referred to the dispatch of sir W. A'Court, in which he found it stated, that after Murat had been taken, with thirty of his followers, by the peasantry, for there were no troops, he was tried by his own officers, condemned by his own laws, which were yet in force, and suffered the punishment which, by a proclamation found upon him, he had denounced against the adherents of king Ferdinand. No English agent could have been present.

Sir *R. Wilson* said, the noble lord's explanation was satisfactory as far as it went; but it would be remembered, that what he had asked was, not whether a British agent was present in the military commission, but in that council at Naples, the result of which was the handing over of the late king of Naples to a military trial?

Lord *Castlereagh* said, that the rumour was utterly destitute of every colour of foundation.

PETITIONS RESPECTING THE ROMAN CATHOLIC CLAIMS.] Mr. *Fitzgibbon* presented a Petition from the Roman Catholics of Limerick, praying to be admitted to the full enjoyment of the privileges of the British constitution. The hon. gentleman begged to offer his testimony to the loyalty and respectability of the petitioners, and expressed an earnest hope that the result of that night's debate would determine that a large portion of the people of Ireland should no longer be excluded from participating in the blessings of the constitution.

Mr. *S. Rice* supported the prayer of the petition, conceiving it to be founded on justice. No paltry question of expediency, if expediency could ever be separated from justice, ought to induce them to exclude from the full enjoyment of all constitutional rights, men who had proved by their patience under severe privations, how well they deserved them. He hoped the House would consent to go into a committee on the Catholic claims. If securities were wanted to guard the Protestant church from danger, he should vote for them. But he was satisfied that the best security the church of England could receive, would be afforded by an act of conciliation and generosity towards the Roman Catholics.

Sir *T. Lethbridge* presented a Petition from Bruton, against the Catholic claims. The petitioners looked with great anxiety to the recurrence of this question, but relied on the wisdom of that House, if the subject should go to a committee, to provide suitable securities for the Protestant interest. In this feeling he agreed with the petitioners. He should be inclined to consider the appointment of a committee only a delusion; for he could not see how any thing could be done that would relieve the Catholics, and at the same time give security to the Protestant establishments. It was from this feeling that he was always disposed to object *in limine* to any plan of this kind, and he now called upon those who wished to hand down the constitution unimpaired to posterity to oppose the claims of the Catholics.

Mr. *Grenfell* said, that so far was he from thinking that by conceding what was prayed for they would do any thing to undermine the constitution, that he was convinced the measure in question would prove one of its firmest supports.

Mr. *Warre*, when an hon. baronet called on the House to oppose the claims of the Catholics *in limine*, wished them to remember in what situations they had heretofore been called upon to oppose them *in limine*. In 1806, when it was proposed to admit Catholics to a certain rank in the army and navy, the hon. baronet called on the House to oppose this proposition *in limine*. Then the cry of "no Popery," was raised, and the proposition failed. Since, the measure alluded to had been carried by the very persons who then opposed it. At that time they were told, "if you do this, you will pave the way for overturning the constitution, as it was established at the period of the revolution." But this excellent measure had since been carried. It was introduced in the Lords and when it came to the Commons, it was passed *sub silentio*; and they might now have a Catholic general at the head of an army, and a Catholic admiral commanding the Channel fleet. Had this endangered the constitution? It had not, and he hoped the Catholics would still go on step by step till they gained the consummation of their wishes.

Mr. *Barham* objected to the foul calumnies urged against the Catholics in one petition which had been laid before the House. It was stated that the prayer of the Catholics ought not to be attended to now, because the concessions formerly made were given as their *ultimatum*. This he must declare to be utterly false. They had been content to receive so much as parliament was disposed to grant; but at no time had any compromise taken place. Though he was ready to believe that much of this petition originated in ignorance, yet he could not suppose the petitioners so ignorant as to believe that the Catholics had a mental reserve when making oath, under the impressions that faith was not to be kept with heretics. He thought they must know that such were not the tenets of the Catholic church from the results of the various inquiries that had taken place. Yet on this calumny they founded the bold charge that a Catholic was not to be believed on his oath. This was an idea so absurd, that he might defy the devil himself to produce one more so.

Lord *Nugent* said:—I rise to present a Petition from upwards of 8,000 of the Roman Catholics of Great Britain, praying for admission to certain civil privileges, from which they are now by law excluded. The petition, Sir, is signed by seven peers, sixteen baronets, and seven bishops, besides a very considerable body of their clergy, as well as laity. And if I permit myself to look forward with the sincerest and most sanguine hope to the success of its prayer, that hope is not founded upon an expectation on my part of any very extensive change in the opinions on this subject, of this House or of the country;—but it is founded upon the increased and increasing claims of the petitioners themselves upon your favourable consideration:—it is founded upon their uniform and exemplary good conduct;—upon the tone and temper of this petition;—but, above all, upon one new and most important declaration;—a declaration, not new in principle, but now for the first time thus explicitly made, which I trust the House will feel entirely removes the one great obstacle, which has hitherto presented itself to the admission of these petitioners to a community of privileges with their fellow-subjects.—The House is aware, that the oath of supremacy, in the renunciation it contains of the spiritual power of the pope, now remains the one, and I may almost say the only one, great practical difficulty in their way. The declarations of the thirtieth of Charles 2nd, against the doctrine of transubstantiation and the invocation of saints, are now, I believe on all hands, allowed to be justifiable only as tests subsidiary to the declaration contained in the oath of supremacy. On the oath of supremacy, therefore, I conceive, now hinges the whole of that long-contested question of foreign influence, and of what has been called divided allegiance: and on this subject I should wrong these petitioners if I presumed to state their opinions in any terms but those in which they have themselves so admirably described them. They state in their petition, that "they have been accused of giving to a foreign potentate part of that allegiance, which is due to their rightful sovereign, but they have repeatedly denied the charge, and again deny it." They state, that to their sovereign "they swear full and undivided allegiance: in him alone they recognise the power of the civil sword within the realm of England" (these words are the words of the thirty-seventh article of the Church of England). "They acknowledge in no foreign prince, prelate, state, or potentate, any power or authority to use the same, within the said realm, in any matter or cause whatever, whether civil, spiritual, or ecclesiastical."

Sir, the prayer, then, of these petitioners reduces, as far as they are concerned, this great question to within a very narrow compass. There remains but one plain question of practical justice, which in fact embraces the whole matter so long at issue in this House. Is it on account of their religious opinions only, or on account of presumed political opinions, that the Roman Catholics of your empire are disqualified from performing certain services to the state? For the answer, let us look at the oaths and declarations which are the instruments of their exclusion, and let us look at the terms of the petition which I shall move to lay upon your table; and it appears, both from the grievances it states, and from the relief it prays for, that the removal of certain tests, of a purely spiritual effect, and relating to spiritual matters only, would leave your Roman Catholic countrymen as fully qualified for the enjoyment of every privilege they ask, as you are from whom they ask them: that they are excluded, not by virtue of any political test, but by virtue of a spiritual test only; and, *ex vi termini*, they put it to the proof; for they ask you to abolish the spiritual test only—the political test they are ready to embrace. But it is said, that from these spiritual tenets certain political tenets may be inferred. Then, Sir, let us come at that truth by direct means, which by indirect we never can arrive at. Put to them what political test you will. Stronger, if you will, than that already imposed by the nineteenth of the late king, in Scotland; stronger, if you will, than that already imposed by the thirty-third of the late king in Ireland; the Roman Catholics of Great Britain are willing, and are eager, to meet you. Charge it with every security which the utmost ingenuity can devise, or the most jealous caution impose, for the safety of our Protestant establishment in church and state—the Catholics of Great Britain are willing, and are eager, to meet you still. They state their allegiance, political and civil, to be as entire and as extensive as your own; and they urge no less than character, conduct, the evidence of history, and even of the very oaths which exclude them, to support this statement.

If, then, we refuse this prayer, it is not that we protest against this or that particular form of relief, it is not that we protest against such or such extent of toleration, but we must do a great deal more: we must do this; we must declare that, in our deliberate judgment, no man ought to be admitted into a participation in civil privileges with ourselves, who dares, contrary to our opinion of the efficacy of such invocation, to invoke, in his closet, the intercession of saints between himself and his Maker; who ventures to believe in the spiritual efficacy of the pope in council to interpret the Holy Scriptures; or who presumes to recognise a real presence of the Deity in the consecrated elements of our Lord's Supper. We must be prepared to declare, that these opinions, for it is against these alone that the oaths of exclusion operate, are opinions so full of danger to the state, that it is wisdom to protect ourselves from them at no less a sacrifice than that of one fourth of the moral strength of our whole empire—one fourth of the property, one fourth of the talents, one fourth of the energy, zeal and integrity, of the whole empire, by law excluded from the civil service of the state. This we must assert, before we can upon principle reject the prayer of this petition.—But if, on the other hand, it is only that, under cover of these spiritualities, you enable yourselves to exclude persons against whom certain social tenets are imputed, then, Sir, allow me again to say, come at this directly, for indirectly you never can; and do not endeavour, in breach of every moral law, to appeal to the consciences of men on such false pretences, when considered as political tests, as are these doctrines of transubstantiation and the invocation of saints.

You find the Roman Catholics of Great Britain professing a religion to which they are fondly and firmly attached. How fondly, and how firmly attached, the history of their sufferings, their privations, the undeserved obloquy they have endured for now upwards of two centuries, sufficiently attests. Use, then, that strong principle of religious fidelity to your own advantage; and, by the bond of an oath, make it, instead of being the instrument of their disfranchisement, the pledge and guarantee of your own security and union.—And what, let me ask, has been hitherto the operation of these declarations of the 30th of Charles 2nd? Declarations enacted under the belief in two things;—under the belief in the evidence of Titus Oates's plot; and under the belief in the influence of what is called the king-killing clause in the council of Lateran. True that upon the monstrous falsehoods and perjuries on which that plot was founded, history has long since solemnly pronounced its verdict; but the effect of those perjuries is still in operation against the Roman Catholics. True that no atonement could be made for the innocent blood of those who were the victims of those perjuries; but the laws of exclusion which were enacted upon the belief in those perjuries, still remain a blot, a disgrace, and an anomaly upon our Statute book. Sir, that monstrous other assumption, namely, that Roman Catholics believe themselves absolved from keeping faith with Protestants, although now on all hands abandoned, and by common consent brushed away with the rest of the rubbish with which this great question was obscured: still let us remember, that even this assumption it was for years vain to combat:—vain that the council of Constance was urged, abrogating that profligate that thousand times denied and disproved clause of the council of Lateran:—vain the general and indignant disclaimer of all Catholic Europe tendered to Mr. Pitt in 1788:—vain the evidence of the civil history of every nation in the world, where Catholic and Protestant live together, with the same privileges, under the same laws and the same government. Oaths of exclusion remain upon our Statute book, which can exclude only those whom their very being excluded by those oaths shows are religiously scrupulous of what engagements they enter into with a Protestant government. By one single act of that perjury, be it observed, which we have so untruly and cruelly imputed to him, the Roman Catholic might at any time have admitted, or might now admit himself to all he seeks, and from which it is only those oaths that exclude him. And, having done so, he might turn round again, and declare himself to you and to the world to be a Roman Catholic; but that would not exclude him. You exclude him, therefore, not because he is a Roman Catholic, but because he is a Roman Catholic who does keep faith with Protestants, and abandons even the common-law privileges of his citizenship for the sake of his religion and his oath.

These petitioners submit, that to the declaration against transubstantiation is to be objected, first, that, in its terms, it is intemperate and calumnious; secondly, that it affects matters of belief of much too subtle and metaphysical a nature for human laws to take cognizance of; and thirdly, that, if its terms were as temperate, as charitable, as incontrovertible, as they are the reverse, still, that in effect this declaration nullifies the very securities it affects to give, and illustrates how vain the attempt to protect yourselves by oaths against a perjurer. For example: after applying to this doctrine of transubstantiation the word idolatrous (a rather violent and hazardous epithet by the way, and one which I think I could show, if strictly taken, is quite untrue), you profess "in the presence of God, without any evasion, equivocation, or mental reservation whatever, and without any dispensation already granted, or hope of such dispensation," and so on. Why, Sir, if the Roman Catholic had received such dispensation, or if he hoped for such dispensation, or if he thought that such dispensation could avail him in the sight of God, he might take currently every oath on your table, admit himself to the eligibility he seeks, and Parliament might, in despite of your laws, be filled not only with popery but with perjury too. And yet this is what we term security! The security of an oath against those whom no oaths will bind! Sir, we know what is meant by a bad reasoner arguing in a circle; but what shall we say of a law, which calls upon us to swear in a circle thus? If the imputation were true, the oaths could not secure you: they only do secure you because you know the imputation to be untrue. But it is in a much wiser, a much more conciliatory and much truer spirit, that the thirty-nine articles, the work of better hands and of better times, speak of this same doctrine of transubstantiation. It is there described as "having given rise to many superstitions." But not a word of idolatry. We are therefore, in this House called upon to declare on oath what the articles of our own church do not even profess; and now, above a century and a half since its enactment, when even the political pretext has long ceased to operate, this unwarrantable, this horrid declaration still subsists upon our Statute books.

Sir, on the oath of supremacy I will say nothing; because, modified or explained in the spirit of this petition (I mean as renouncing all temporal supremacy in the Pope, and all spiritual or ecclesiastical supremacy which can be enforced by temporal means, or can, in any manner or for any purpose, conflict or interfere with the civil duty and allegiance which is due to his majesty, and his successors; or, with the civil obedience and submission which is due to his courts in all matters affecting the legal rights of his majesty's subjects):—so understood and declared, I am enabled, I am authorised, to say, that the great body of the Roman Catholics of Great Britain are prepared to take it with you: and that this is all which you have, on other occasions, thought necessary; witness your laws concerning the elective franchise and civil appointments, the thirty-first and thirty-third of the late king in Ireland and Scotland. By these acts the admission of a foreign supremacy *in foro conscientiæ*, is distinctly recognized, and such spiritual supremacy is declared "not dangerous to society or civil liberty." Now, farther than this, by these acts you have declared, that there is no necessity to demand:—farther than this you have no reason or right to demand.

Sir, it is singular, that three of our greatest text authorities in divinity, in law and in moral philosophy, concur in almost prophetically describing the present state of the Roman Catholics of your empire as a state, in which it would be no longer either expedient or just to hold them in exclusion from the full enjoyment of the privileges to which birth, property, talents, or merit, might fairly entitle them. I shall take the liberty of quoting a short but striking passage from each of these authorities. And, first, bishop Hoadley. The venerable champion of Protestantism, the staunch advocate of civil liberty, the zealous antagonist of popery, connected as in his day popery was with arbitrary power:—bishop Hoadley thus expresses himself in his treatise entitled "The Common Rights of Subjects defended." "I cannot," says he, "justify the exclusion of a papist from civil office upon any ground but that of his open and avowed enmity, to civil government, as now settled in this land." Mr. Justice Blackstone is much more explicit—"If a time shall ever arrive, when all fears of the Pretender shall have vanished, and the civil influence of the Pope shall have become feeble and despicable, not only in England, but in every kingdom in Europe, then will be the time to remove these rigorous edicts against the Catholics, at least till their civil principles shall again call on the magistrate to renew them." Thus far, then, divinity and law. My third authority is archdeacon Paley, in his Moral Philosophy, treating of "Religious Establishments and of Toleration." "It should be remembered, that, as the connexion between Popery and Jacobitism, which is the sole cause of suspicion, and the sole justification of those severe and jealous laws, was accidental in its origin, so probably it will be temporary in its duration; and these restrictions ought not to continue one day longer than some visible danger renders them necessary for the preservation of public tranquillity. The measure certainly cannot be defended at all, except where the suspected union between certain obnoxious principles in politics and certain tenets in religion is nearly universal. In which case it makes little difference whether the test be religious or political: and the state is somewhat better secured by the one than by the other." Thus, Sir, the Roman Catholic, without the bad grace of claiming his enfranchisement as a right, refers you to these authorities; he points to divinity, to law, and to ethics, and in the view, at least of Hoadley, Blackstone, and Paley, he proves to you that it is a right.

Sir, these laws are laws enacted against conscience. If, by dint of them, you induce the Roman Catholic to conform, you weaken in him the conscientious principle, and leave him a worse man than you found him. If you fail to induce him to conform, you bring, as far as he is concerned, the conscientious principle to act against yourselves. But God has so ordained it, that, generally speaking, conscience is too strong for your laws. You have failed in the encounter. It is a principle, that you cannot control if you ought, and you ought not if you could. Nor ought you to make the tenets of your established church an engine of political torture to those whose pious, sincere, honest, and avowed opinions forbid their conformity. An engine, like the bed of Procrustes, of torture to those who cannot dilate their opinions to your proscribed extent, or contract them within your prescribed limits. Thus it is, Sir, that these tests operate everywhere within the wide range of the British islands. But in Great Britain you find this petition signed by a large portion of a small but deserving population. Do not mock their prayer by saying they pray for what is not worth having, do not insult their invariable truth and honour by telling them you doubt their professions. They meet you on your own terms, and call upon you to try their sincerity: only do not insult their Cross, do not insult their relics, do not insult the private and innocent altars of their ancient worship, and they offer you all. They offer you their allegiance, they offer you the services of their lives on your own terms. You say they will deceive you;—they ask you to give them their trial.

Sir, the Roman Catholics of your empire would scarcely deserve what they ask, did they not strongly feel and strongly urge this upon your humanity and justice. Were they really content under this abridgement of rights, I should not think of them as I do. I should think them scarcely worthy of civil liberty. But now their petition, their cause, is in your hands. Do not throw it back upon a disappointed and despairing population, to make it again a subject of mortification, discontent, and division. Above all, allow me to implore it of you, do not make securities again a subject of negotiation between yourselves and the Roman Catholics. For parliament, before it can treat with petitioners, must descend to a level with the body it treats with, or raise them to an undue elevation, from which alone they can make terms with parliament. Do not consult Catholic boards, or Catholic authorities, but consult your own wisdom and justice, and act upon your own authority for your own securities. But, in the mean while, if their should be a few who struggle rather intemperately, when struggling, be it remembered, for no less than civil right and political existence, let not the possible intemperance of a few be visited on all. It is not liberality, it is not justice, it is not truth. On the other hand, let the few miserable bigots, if such there be, the fiery champions in the nineteenth century of the intolerance and bigotry of the sixteenth, let them answer for themselves, let them answer to their sect, to their country, to their God, for all that they have preached, have written, and have acted. But, in the name of truth and justice, try your own countrymen by their own declarations and by their own conduct. These entitle them to a far different measure of consideration. Remember, that if this night you are to resolve upon taking into your consideration the interests in Ireland, of the majority, by millions, of the people; in England, you are to pronounce upon the destinies of the Howards, the Talbots, the Arundels, and the Cliffords; men, whose ancestors were the founders of your greatness, and fame, and freedom; men, whose hearts are now bursting with the hope, long, too long, deferred, of being enabled one day to serve their country, uninsulted by your tests and unshackled by your restrictions; of being one day enabled to share the full benefits of that constitution, of which, let it never be forgotten, it was their forefathers who laid the corner stone.

Let us act in the spirit of men well aware of the great and touching appeal on which we are this night to decide. Let us act in the spirit, words cannot describe it better, of those with which I will place, Sir, this petition in your hands. They are the words of the preamble of a wise and good law, the act of the twenty-second of the late king in Ireland, which says, "that it must tend to the prosperity and strength of his majesty's dominions, that his subjects of all denominations should enjoy the full benefits of a free constitution, and be bound to each other by mutual ties of interest and affection." And, by the blessed issue of a wise and healing spirit like this, let us this night do what yet remains for the honour and justice of England,—for the happiness and security of Ireland,—and for the peace and union of both.

Lord *Glenorchy* trusted, that the House would no longer deny the privilege of exercising the rights afforded by the constitution, to a numerous class of the people, merely because they did not hold the same religious opinions as themselves.

Lord *Nugent* said, there was one circumstance connected with the first signatures to this petition which, he was quite sure, would speak to the feelings of the House. There were now but four of the baronies remaining, the holders of which signed Magna Charta. The rest were extinct. The representatives of all the four baronies that had survived the lapse of ages were Roman Catholics, were debarred from their seats in parliament, and had signed the petition just read.

Mr. *Plunkett* said, he held in his hand a Petition signed by some thousands of Roman Catholics in Ireland. From the means he possessed of knowing the people of that country and the opinions entertained by them, he could say that the petition contained the sentiments of the great body of the Roman Catholics of Ireland. A similar petition had been presented to that House the year before last. On that occasion the prayers of the petitioners had come forward to that House with all the eloquence, with all the experience, with all the authority of the late Mr. Grattan. In now undertaking the duty devolved on him, he felt his heart melted with the public sorrow and private regret with which he had followed to his grave that great man, by whose confidence he had been honoured, by whose wisdom he had been enlightened, by whose example he had been guided. After the unrivalled eloquence with which he had been lamented in that House, and the distinguished honours with which the justice and liberality of Englishmen had accompanied his remains to the tomb—for at his death, as during his life, he had been the bond of union between the two countries—after these tributes to his virtues, he would not disturb the solemnity of his obsequies by his feeble praise and unavailing sorrow. Yet he could not avoid to mention his name when presenting this petition. The subject was one on which his departed friend had deeply meditated; it had taken early and entire possession of his mind, and held that possession to the last hour of his life; he would have willingly laid down his life in advocating the rights and liberties which he believed to be due to the Roman Catholic subjects of the king, and beneficial to the whole empire. It had been his deliberate conviction, that there could be no sympathy of feeling between the two countries, until this question should be set at rest. He had always been alive to the desire of fame, and showed in the various actions of his life, that love of the approbation and esteem of the wise which clung to every aspiration of a good man, while on earth. But never man had treated with more absolute disdain the hollow and faithless popularity which is obtained by subserviency, and preserved by dereliction of principle. He had never, therefore, urged the great measure which he had so cordially espoused, but on terms by which it could be reconciled to the Protestant interests of the country. In following his departed friend's steps, he was actuated by the same spirit. In that spirit he now moved for leave to bring up this petition.

The several petitions were ordered to lie on the table, and to be printed.

Roman Catholic Claims.] Mr. *Plunkett* then rose. He said, that it now remained for him to discharge his duty, by bringing under the consideration of the House the subject of the petitions which the House had just heard, and on behalf of the Protestants and Roman Catholics of Ireland, to call the attention of the House to the relative state of both; a state which, on the one hand, justified an imputation of harshness and oppression, and, on the other, excited a feeling of that injustice and oppression, which, if it were suffered to continue, must in its consequences prove equally dangerous to the party which oppressed, and to the party which suffered. His object was, to attain an end of public good by doing an act of public justice. It was such an act of justice, as, he was persuaded, would lay the foundation of ultimate concord, for concord was the necessary consequence of justice. He believed it would be received with the warmest feelings of gratitude and satisfaction, though this was in his judgment an inferior and secondary consideration. To suppose that he brought forward this question, merely as a palliative to allay temporary discontents, and to get rid of accidental ill-humours, would be not only greatly to undervalue the measure, but wholly to misconceive its bearing. The Roman Catholics of Ireland had nobly disentitled themselves to the supposition of its being a measure to allay discontent. Determined as they were to persevere in their efforts to obtain redress of grievances and restoration of rights, they were equally determined never to seek them but as the result of wisdom and justice in the legislature, in which they knew that they could not be ultimately disappointed. That there did exist among them an eager desire for immediate redress, and instant restoration to the freedom which their fellow-subjects possessed, he should be ashamed to deny. That there was felt by them that sickness of the heart which arose from hope deferred, and which called urgently for a remedy to be administered, he did not deny. But he was not so sick and silly a zealot as to believe, that the immediate effect of the measure which he urged would be to remove every feeling of uneasiness excited by a long course of irritation and injustice. No measure which he could propose, or the legislature could adopt, would operate as a charm. By applying an instant remedy the discontent would not instantly cease. The waves were heard to roll for some time after the tempest had ceased. But these were not the questions for parliament to inquire into. It was their duty to consider whether any injury had been done to any portion of our fellow-subjects; whether any grievances had given rise to discontent, and if so, to remedy them; whether any injuries had been done, and if so, to endeavour, by their removal, to obliterate the remembrance of them? If long continued injuries had produced discontent, the more was their shame, and the more regret would be felt by every honourable mind, that no attempt had been made to remove them. The longer any institution of society, pressing heavily upon the interests and rights of the community, was suffered to exist, the deeper it struck; and if it was found that such an institution pressed not merely upon individuals, not merely upon bodies of men, but upon the greater part of the population of a most important part of the empire, the evil became so crying and unjust as to impose upon them the absolute necessity of taking immediate steps for its removal.

Before he proceeded to the main argument, he wished to call the attention of the House to some loose and general objections which had, from time to time, been made to the measure, on the ground of its being imperfect in some of its details. It was said, for instance, that the Catholics were not aggrieved to the extent to which they complained; that the plan which had been proposed was inconsistent or dangerous; objections were taken to some of the offices proposed to be left open, and to some of the oaths proposed to be retained; and it was urged, that the friends of the measure were not themselves agreed as to the nature of the conditions or securities which should accompany the measure, or whether any conditions or securities should accompany it at all. This was, in his judgment, not a fair, not a manly, not a candid manner of meeting the question. Was the question itself fit to be entertained? Did justice plead for it? Did the constitution sanction it? Did policy demand it? If it were contended, that it ought to be rejected because it was impolitic or because it was uncalled for by the demands of justice, he should then understand the argument; but objections, grounded upon the particular form and mode of the question were neither fair, nor manly, nor just. If he shewed that a great public grievance existed, and that a great public good would be effected by applying a remedy to it; if he shewed this, and any man told him that he admitted his principles, but would not agree to his plan because there was something weak in its details, he would ask such an individual, whether it was fair or manly thus to shelter himself in the privileges of neutrality? Would it not be more manly and consistent to come forward and suggest something better—instead of wrapping himself up in the immunities of neutrality? If the measure were not bad, it must necessarily be good. We come forward, with no theoretical speculations—no innovation upon the constitution—no untried experiments—no attack upon existing establishments—we come forward under the constitution itself, on the part of millions of his majesty's loyal subjects, humbly petitioning parliament that they may be admitted to enjoy those privileges which their ancestors enjoyed, and supposed that they had bequeathed as an indefeasible inheritance to their posterity. Such were the claims of his majesty's Roman Catholic subjects —claims which were founded upon, and recognised by, the true spirit of the British constitution, and which ought, if opposed at all, to be fairly met, and not by an attempt to crush the plan submitted to the House, merely on the ground of objections to some of its details.

What he meant to propose was, a committee for the purpose of adjusting the difficulties of those details. He apprehended that no person was prepared to say that there was no practicable plan, no possible method, of reconciling the claims of the Catholics with those difficulties, and with the interest of the Protestant portion of the community. Still less could any man wish that there should be any insurmountable obstacle to the attainment of so desirable an object. If there were any man capable of harbouring such a wish, he would not condescend to argue with him. He, himself, entertained very confident expectations that such a plan was practicable—an expectation that was not a little increased by the recollection, that within the last few years a majority of that House had agreed to a committee, and that very lately a majority of that House had come to a resolution, by which the measure might have been carried, had it not been for the gross indiscretion of those who called themselves the friends of the Catholics. If such was the disposition of parliament at a time when the political horizon was threatened with storms, which the nation had happily weathered—if they were willing to make such concession at a period of great public danger and dismay, surely no objection could now be made to the measure on the score of apprehension. It could not be forgotten by any generous and grateful mind, that no portion of our countrymen had more distinguished themselves, or contributed more to that happy issue, which had restored peace and tranquillity to the country, than his majesty's Roman Catholic subjects. They had fought the battles of the country, and shed their blood in its cause, with a prodigality which proved them worthy of the privileges from which they were unjustly excluded. He did not anticipate, then, any thing like hostility; certainly nothing of rancour, in the discussion of this question. Something of prejudice, he feared, he should have to encounter. When he said prejudice, he did not mean to use that word in a harsh sense; if prejudices existed, they sprung from an origin so noble, and connected themselves with feelings so immediately growing out of the struggles which had been made in this country for civil and political freedom, that they deserved to be called by a better name. If prejudices were entertained, he was persuaded that they were such prejudices as were accessible to argument, and which, if not assaulted by violence, would yield to the voice of reason. He believed that even in the minds of those who opposed the measure, some latent anxiety existed to adopt it, and that they opposed it only in obedience to what they conceived an imperious and paramount duty. It could not be doubted that there was a growing feeling in its favour, both in that House and in the country, and therefore he was satisfied that he was not likely to be encountered by any thing more than that fair and reasonable opposition, which was perhaps due to the full consideration of the rights and interests of the Protestant part of the community.

The question before the House admitted of three distinct considerations. It might be considered as a question of religion, as a question of the constitution, and as a question of policy. He feared he should have to call more largely upon the patience of the House than he could wish. It was a subject which had often been considered in all its parts, and which must be familiar to the members of that House, though many of them had never heard it discussed within the walls of parliament. Upon the first part of the subject, namely, the religious bearing of the question, he did not think he was called upon to say a great deal, because it had been distinctly admitted, that if the interests of the state did not require the exclusion of his majesty's Catholic subjects from the privileges of their fellow subjects, it would be unjust to exclude them merely on the score of religion. It was admitted in direct terms by a right rev. prelate in another place, that, as far as this was a mere question of religion, there was no pretence, if reasons of state did not interfere, for excluding them on the ground of their religious opinions. This being admitted, he thought he might be dispensed from the necessity of any further consideration on this part of the subject; but, as a Protestant called upon to subscribe the declaration of the 30th of Charles 2nd, he could not forbear making a few observations upon the extent and bearing of that declaration, although they might not particularly apply to the claims of the Roman Catholics. Looking at this merely as a religious question, was it contended, that the interests of religion required any pledge from persons admitted to the privileges, offices, and franchises of the state. Any religious pledge was calculated to impress an opinion, that religion was only an instrument for state purposes. What was the inference from the necessity of giving a pledge, but that for the enjoyment of privileges of state, certain religious opinions were required? Now, all religions, as religions, were in this respect equal. All religions were equally true in the estimation of those who respectively professed them. If in this country the interests of true religion required tests and political restrictions, the interests of true religion in a Catholic country required tests and political restrictions; the interests of true religion in a Mahometan country required tests and political restrictions; the interests of true religion in a Pagan country required tests and political restrictions. That many who had taken up the question on trust, maintained the necessity of pledges and restrictions on religious grounds, might be conceived; but that any person maintained on principle that there was any pledge or test necessary but as a matter of state, he very much doubted. Why not require, if religious faith was necessary before one became a member of the state—why not require that a Protestant should give pledges of his faith? Why should he not be required to declare his faith in God, his faith in a Redeemer, his faith in a future state of rewards and punishments? No man was required to declare his belief; he might believe nothing; for all that was required was negative. Nothing positive was submitted as a test. It was all abhorrence and antipathy. Nothing positive was required to be believed.

Again, if it was not positive belief that was required, but denunciation of what was believed by others, why was it only the Catholics that were denounced? Why was there no denunciation of those who believed not the divinity of our Lord? Why was there not a denunciation of the Jews, of the Mahometans, of Pagans? Why was it sufficient to abhor the Roman Catholics, who believed all that we believed, and only differed from us by believing something more? He might be an infidel, he might believe in Jupiter, in Osiris, the ape, the crocodile, in all the host of heaven, and all the creeping things of the earth, and be admitted to all the privileges of the state, for the statutory abhorrence was limited to those who believed all the great principles of religion. Why was the doctrine of transubstantiation a particular topic of denunciation and abhorrence? Beyond the objections which had been urged to that great measure, the necessity of which he was now endeavouring to enforce, beyond all those, to some of which he had adverted, it was asserted, that the Roman Catholics held the doctrine of actual transubstantiation; that there was an actual presence, at the sacrament, of the body of our lord in the bread, and of his blood in the wine. He could only say, if it were so—if such a doctrine were really held, it must be held in direct contradiction to the words of our Saviour and the dictates of common sense; for if men knew the elements before them to be bread and wine, it must be impossible that they could be the body and blood of the Redeemer. But what was the fact? The Roman Catholics (to whom it might surely be permitted to know what they did or did not believe) affirmed that they did not believe this actual transubstantiation, because they admitted that it was clearly impossible for the same body to be in two places at one time. In candour, however, he must admit, that in a sense the Roman Catholics did believe in the transubstantiation, in a certain sense they did hold the doctrine; but what that sense was, it was impossible for him to say. And here he would observe that, not knowing, he would not attempt to describe it; for, to assume that it was that which it had been erroneously represented to be, a transubstantiation, in its nature opposed to common sense, was just as reasonable as if he should say that it was six foot high, or of a red colour. Those were not the opinions of queen Elizabeth upon this subject—a subject which might be a fair one, indeed, for polemical discussion, but was not a proper object of legislative interference or political jealousy. Certain it was, that queen Elizabeth prohibited her chaplains from preaching about it in public; and they thought that she was too good a judge of polemical matters, or that she had too shrewd a sense of the interests and welfare of the state, not to pay the most implicit deference to her commands. He would take the liberty of reading a short extract upon this point from Burnet's "History of the Reformation." There, he said, the chief desire of the Queen's council was, to unite the nation in one faith; and the greatest part of the nation continued to believe in such a presence (that is, the real presence). Therefore it was recommended to the divines to see that there should be no express definition made against it. "The Queen and her council studied (as hath already been shown) to unite all into the communion of the church; and it was alleged that such an express definition against the real presence might drive from the church many who were still in that persuasion." So that it might be, as a mere speculative opinion, not determined upon, but upon which every man was at liberty to indulge the impressions of his own mind. This, then, was really the opinion of queen Elizabeth, whom he might call the great foundress of the Reformation. There was, surely, no want of sincerity in her belief: no one would impute such a want to that great woman, for she more than once hazarded her life and her throne in the defence of that belief. But she was profoundly acquainted with the true policy of the state; and she said, that although her own mind was made up on the subject, she would not make windows to look through into the hearts of her subjects, nor would she suffer them to be made by others. Accordingly, queen Elizabeth altered the Liturgy, as it then stood, and had existed from the reign of Edward 6th, and excluded from it that part which denied the real presence. And so the Liturgy stood now; for the fact was, that in our communion service, at this moment, there was nothing which in terms did deny that doctrine, or which could even exclude a conscientious Roman Catholic from participating in it. The House might be told that this was, perhaps, an intended encouragement on that queen's part to the religion of the Church of Rome. They might be told that she did this to let in idolatry, as it were, by such a portal. He did not, however, believe that any body who stood up for the high church principles of the present day, would venture to tell queen Elizabeth, if she were present, that he was a better Protestant than herself. It was a proceeding contrary to the spirit of religion, an outrage upon the doctrines of Christianity, an insult upon reason, an offence against piety, to say that they were called upon to give foul names to those who were not agreed with ourselves upon a subject of such a nature

But, if polemics were interested in the settlement of this question, why were states and legislatures to interfere with it? Why was a question of this abstract and undefined character to be made the cause of the exclusion from the common rights of their fellow countrymen, from the personal privileges and honours attainable by the rest of the nation, of so large and important a class of the great community? Then it was said, that while this doctrine was maintained, Christianity was in terror. But this was a libel on Christianity—a reflection upon its truth, and a denial of its efficacy: for it went to say that its mighty ends were not obtained; it went to show that after the lapse of 1800 years from the period at which the blood of the Saviour was shed in the great expiatory sacrifice, nothing had been effected, but that the greater part of Europe should, at this day, be lost in abominable idolatry. But what had taken place, in fact, with respect to the Roman Catholics of Ireland? What had the government done? Why, in Ireland, it was well known that they did admit Roman Catholics to a participation of certain privileges: they might be grand jurors, and they might be magistrates. Now, let the House observe the necessary inconsistency which followed as a consequence; they made the grand juror or the magistrate take an oath, in a Christian country, that he was one of these idolaters: before they returned him, they made him swear that he was a Roman Catholic; so that the act of his appointment bore, that being an idolater, he was vested with powers intended for the preservation of the peace and welfare and good government of a Christian land. But they had done much more; they had permitted these idolaters to build schools, and to teach children; they had formed alliances with these idolaters; they had established them even in Canada. He hoped that if what he was now saying should get to the ears of a learned and right reverend person at the head of our religious establishment—and for whom he always wished to speak with the consideration and even affectionate respect which was due to his character, and to his office—he would not, in another place, when opportunity should offer, suffer this matter to remain any longer in such a state of misconception as that in which it had long been.

He should now proceed to consider the question before them as it regarded the constitution. What he meant to contend for upon this part of the subject was, that the constitution intended to admit, and that justice as well as policy required them to admit, every person, performing the duties of a liege subject, to all the franchises and privileges of the state. Such an admission he considered as their right; and that right, he should maintain, had not been touched even by the Reformation, previous to which it had not been questioned. It was a right acknowledged, without doubt and without hesitation, until some events and some peculiar circumstances had rendered it necessary, in the opinion of the government of the country, that limitations and restraints should be imposed upon it, during the existence of those agitations which ensued soon after the Reformation. Since then we had formally acknowledged that these causes no longer existed; therefore still to preserve such limitations and restraint—if that acknowledgment were true—was manifest injustice; it was more—it was an outrage on a constitution which had intended that every subject should enjoy that equal right. The dangers under which an infraction of that right had been considered expedient to be made had long ceased: the principle, however, was still in operation. The time was now come when it was absolutely necessary that they should sift and examine this principle; its importance admitted of no delay, and the necessity of determination of no compromise. It was a principle which was not to be got rid of by devices, but which must be stated and discussed; and if it was to be defended, and could be sustained, they must be prepared to adopt, and to act upon it.

This was what was to be done. But they had first to inquire whether it was proper, constitutional, or equitable, upon a point of doctrine, to exclude so many of his majesty's liege subjects from the right of being admitted to the franchises and privileges and offices of the state, which were open to all other classes of subjects. Now here the question, as it affected the Roman Catholics, must be —"Are they, or are they not, the liege subjects of the king?" No one disputed that they were. What shut them out, then, from this general right? Nothing beyond this, that he had ever heard of—they asserted a spiritual supremacy in the pope. Now, when men came forward with a desire to have a positive law repealed, they must be prepared to show upon what grounds the law had proceeded, and why its repeal was expedient. The whole of this he could not do. True it was, indeed, that the causes which had produced that law were now done away with. But, independently of this, a principle of the constitution which required this exclusion was found out. If there was such a principle, so independent of all that had been stated, it must have existed before the law against the Roman Catholics was framed. If so, until the passing of the act of supremacy, every man in the kingdom, almost, must have done an illegal act; because, before that statute, which was enacted in the reign of Henry 8th, the spiritual supremacy of the pope was always admitted in England. He claimed it with regard to the disposal of benefices; and though the kings of England frequently contended that point with him (not always, by the by, successfully), his supremacy as head of the church was never questioned until that period. If the acknowledgment of that supremacy was contrary to a principle of the constitution or to the laws at that time, then the great body of illustrious nobles who secured the liberties of their country by their unshaken intrepidity and their fearless perseverance were but rebels; then was Magna Charta gained by the illegal proceeding of a band of traitors; then were the barons of England not establishing freedom, but violating the constitution. Those gallant barons who were so well entitled to assert their liberties did not think fit to refuse the acknowledgment of this spiritual supremacy.

But then, it would be said, that after the act of supremacy, it was, that the circumstances occurred which made it proper to impose upon those who acknowledged that supremacy to reside in the pope certain restraints and exclusions. Surely, in the agitation of a question like the present, they would not lose sight of those circumstances. They would remember what they were; they would recollect the situation of Europe, and the designs of Spain, and they would perceive how entirely different were the principles upon which the policy of imposing such restraints on those who persisted to acknowledge the supremacy of the pope might be pleaded then from any defence of them which would be offered now. He would, however, very shortly explain himself upon this subject of spiritual supremacy. The Roman Catholics acknowledged all the principles of the constitution; they acknowledged and obeyed the statute laws; and therefore it was almost needless to say, that they did not attribute to the pope any absolute power, or any temporal authority as interfering with that constitution and those laws. They vested him with no authority which could, in the slightest degree, affect those considerations. The supremacy which they acknowledged in the pope was purely spiritual. The pope exercised a sort of influence among them in cases of conscience; if a person, for instance, was doubtful upon some particular case' he referred himself to the pope as possessing such a spiritual supremacy; and he decided upon it. So with respect to marriages. It was held by our church, that persons within certain degrees of affinity were entitled to marry: the Roman Catholics said they were not. We held that such a marriage was lawful; they maintained that it was a sort of sin; and, perhaps, might pass a special censure upon the parties, as guilty of such a species of sin. But they did no more: the Roman Catholics did not deny, nor attempt to deny, the legality of that marriage: they did not deny the rights of that marriage, as affected the husband, the wife, or the children. The Roman Catholics held, neither that there was a spiritual, nor a temporal, nor any other jurisdiction on the part of the pope, with respect to the constitution of this country; and even with regard to their own sect, they disclaimed all such jurisdiction or supremacy, excepting only in matters of conscience. It was, therefore, with extreme regret that he had heard, in another place, a right reverend prelate, eminent for his learning and ability, lay down the doctrines which he held upon the subject of the spiritual supremacy of the pope. That right reverend prelate admitted, that looking at this as a mere religious opinion, he had no uneasiness about it, nor any doubt, so far as applied to what might happen at any future time. But as the Roman Catholics allowed to the pope that spiritual authority which the Protestants of the established church allowed to the king, (and which the Protestants of the Scottish church acknowledged in no earthly power whatever), the right rev. prelate inferred that there was a deficiency of what he called their civil worth? Upon this he finally determined "that their present exclusion was expedient and proper." This sort of argument was an example of that which Mr. Locke described, as "seeing a little, presuming a great deal, and so—jumping to a conclusion." The right reverend individual inferred, it should seem, that there was a difference between the spirital authority acknowledged by the protestants, in the king, and that which was held by the Roman Catholics to reside in the pope; and he inferred that it was impossible but that the spiritual authority allowed to be vested in the pope should be more dangerous and more extensive than that which was conceded by Protestants to the sovereign. Surely some reasons should be alleged, some argument made out, of a graver character than this, in order to warrant the drawing of such a line of demarcation between two classes of his majesty's subjects, as puts one of them out of the pale as it were, excluding them from all participation in the most valuable privileges of the rest of the people. With respect to what was said about the non-orthodox divines in Scotland and England, and their disabilities, it did much credit to ingenuity and to the faculty of drawing nice distinctions. The same individual had observed that "they did not amount to quite an exclusion." This was a strange situation to be sure: he (Mr. Plunkett) supposed that they must be placed in a sort of limbo—half-way between admission and exclusion. However this deficiency had arisen, it was now discovered that the known deficiency of civil worth in the Roman Catholics was, in principle, that deficiency which of necessity put them out of the enjoyment of this right. Now, by this principle of civil worth, it was very clear that a man might shut out persons of the highest merits: he might shut out all those who were most eminently deserving of admission; and he might let in those who were the most worthless and the most unfit. If this new-fangled phrase of "civil worth" was to be repeated, with a view to keep the Catholics out, it might be well to know what it meant. It did not include all that had immortalized the worthies of English history; neither did it include the little accidents of birth, education, and virtue, nor the mere immaterial requisites of justice, probity, and honour. All these were shut out of civil worth: he must suppose that they were, because the persons who possessed them all were shut out from this right of admission to the franchises of their fellow-subjects; while the man who was destitute of them might be admitted, on the contrary, by denying the civil worth of the others. The constitutions of theory, and those of nations, were very different. Those of men were not mere pedantry and extravagance, for, for all practical purposes, they must be of necessity very distinct from the fanciful inventions of mere schoolmen; and therefore, when they thus heard, for the first time, of a system which might shut out every thing that was good, at the same time that it admitted every thing which was bad, they might be very sure that it was an idle and a sickly dream, for which the constitution furnished not the slightest foundation.

He spoke in the hearing of sound and enlightened lawyers, men versed in the history of the constitution, and he feared not their contradiction when he broadly asserted, that by the original and fundamental principles of the constitution, the sovereign possessed the unlimited right of selecting to all the offices of state from all his subjects, for it was that power that made it a monarchy, and that every free-born subject possessed the right of being selected, for it was that distinction that constituted it a free monarchy. These are the privileges of the subject—privileges not given by the Crown, not given by the legislature, not resulting from any particular law; but flowing from those original sources from whence king, legislature and law have been derived, he meant the pure and pristine fountains of the British constitution. The doctrine of exclusion, as applied to a natural born subject, was at variance with its principles. Those who maintained it had neither the authority of the wisdom or the experience of those illustrious men, who, in the periods of its formation, traced the development of its principles. Such were not the opinions of lord Bacon; and in support of that part of his argument he would beg the attention of the House, while he read an extract from the works of that superior being. In commenting on the rights of a natural born subject, he says, "The fourth and last degree is a natural born subject, and he is complete and entire; for, in the law of England there is *nil ultra*; there is no more subdivision, no more subtile distinction beyond those; and therein it seems to me that the wisdom of our law is to be admired both ways, both because it distinguisheth so far, and because it doth not distinguish farther; for I know that other laws do admit more curious distinctions of this privilege; for the Roman law, besides *jus civitatis*, which amounts to naturalization, has *jus suffragis*; for though a man were naturalized to take lands of inheritance, yet he was not enabled to have a voice at the passing of laws, or at election of officers; and yet further they have *jus petitionis*, or *jus honorum*; for although a man had a voice, yet he was not capable of honour, or office; but these are the devices commonly of popular or free estates, which are jealous whom they take into their number, and are unfit for monarchies. But by the law of England the subject that is natural born, hath a competency or ability to all benefits whatsoever." These were the opinions of that great philosopher and illustrious man. It was the right of the natural born subject to be capable of being selected to all the trusts and offices of the state; it was the right of the sovereign to possess the power of that selection without exclusion. The capacity to select in the sovereign and to be selected in the subject was the distinction of the free monarchy of England. Exclusion was an upstart republican principle of modern growth. It invaded the prerogatives of the crown—it wrested the sceptre from the king's hand—it was only to be recognised in those lawless associations founded on a principle of exclusion, where loyalty was dared to be made a condition, depending on the continuance of that exclusion which proscribed millions of the king's subjects.

But it was said, that those principles were altered at the Reformation. There had been no portion of the vulgar history of this country more falsified than that of the Reformation. The very act of Supremacy, enacted by Elizabeth, demonstrated the false inferences which were drawn from that great epoch. That act was passed with the view of distinguishing between those Catholics who were loyal and attached to the throne, and those who were disloyal and disaffected. All that Elizabeth required, was the same authority, right, and rule, over her subjects, as was possessed by her predecessors. She would suffer no foreign power to interfere with their concerns. She avowed no desire to intermeddle with her subjects in point of conscience, but she exacted those oaths as the tests of loyalty. This avowal was incorporated in the 5th of her reign, and was made the law of the land. In its very recital it states, "whereas the Queen is otherwise sufficiently assured of the loyalty and good disposition of the barons and nobles, be it therefore enacted that they shall be exempted from the operation of this act." These words, "otherwise sufficiently assured," were evidence, that the very measure then contemplated was, at the time, considered as an extended test of loyalty. It was notorious, that Catholics continued, after that act, to sit and vote in parliament. Here then, was an act of the legislature, and the declaration of the sovereign, opposed to the objections on which exclusion was founded. Were they not sufficient to set at rest all those idle cavils respecting Catholic disqualification being co-existent with the Reformation? If any man still doubted on that point, let him read the letter of Walsingham, the minister of Elizabeth, to M. Pettit. In that letter, that minister stated that it was not in regard to the conscience that his royal mistress interposed; that she was not one of those who wished to have a window to look into the heart; that her object was to explore not the reasons of conscience, but the pretexts of faction. That holding a strict vigilance over the interference of foreign states with the concerns of her subjects, and aware of the plots and machinations directed against her throne, she had never changed her opinions; but as times and circumstances changed, she had applied her royal wisdom to meet such change. Now, that was all he wished on the present occasion; he sincerely prayed that the reigning sovereign, as the greatest of his predecessors did, would apply his royal benevolent, and religious wisdom, to meet the change that time and circumstances had now produced. For the first eleven years after the passing of the Act of Abjuration, Roman Catholics attended in the churches to receive the sacraments. The highest offices of state were filled by them during the reign of James 1st, Charles 1st and down to the 30th of Charles 2nd. The English history proves, that during those very reigns, consequent to the Reformation, an indifference of promotion to trust and dignity with respect to Catholics and Protestants existed. Was it not too much, then, with these proofs from history, to contend, that the exclusion of Roman Catholics was the principle of the constitution, as altered at the Reformation? Nay the very year before the enactment of the disqualifying statute, the 30th of Charles 2nd, sir Solomon Swale, a Roman Catholic and a member of parliament, was expelled that House—he was expelled that House—for what? Not because he was a Catholic, but because he was a Popish recusant convict. The argument was to be found in the debates of that time. It was reported by sir Robert Sawyer, that sir Solomon Swale had convicted himself by not being duly qualified. The resolution inserted on the Journals of that House stated the same disqualification. That expulsion took place the year before, the 30th of Charles 2nd. The very title of that act was persuasive to the same point. It went to disable Catholics from sitting in either House of Parliament, to disable them from continuing to do that which they before did.

Having, he trusted, established the original principles of the constitution, he had now brought them down in safety to the 30th of the reign of Charles 2nd. At that period the king was more than suspected of being a papist. An opportunity was too likely to be afforded, where the power of selecting or of rejecting persons to high situations, would be exercised to the imminent danger of the liberties of the people. The functions of the throne were paralysed: there appeared no safety to the preservation of the constitution, but in transferring the spirit of the rule to the exception. Nay, the very act itself, and the declaration shew, that it was at the period considered as a substitute for a bill of exclusion. If the statesmen of that day could have succeeded in carrying the latter measure, such an act would never have been proposed. Would any man pretend to say, that an act passed under such circumstances as that of the 30th of Charles 2nd, was contemplated by our ancestors as that fundamental and inalienable law, which under no times or changes was ever to be repealed? That it was an exception to the principle of the constitution the act itself demonstrated. It might be asked, why was it not repealed when the circumstances in which it originated had ceased to possess influence? The answer was easy; it was this, that it was not until the reign of the late sovereign, that the apprehensions of a popish succession disappeared. King William continued the act upon a special ground. It was stated by Burnet, who rested the propriety of its continuance on the ground of the king not being a Protestant. But what was done at the Revolution? Was that act declared fundamental and inalienable? No such thing. The great patriots of that day took far better security for our establishment in church and state. They declared that the king of these realms should be always a Protestant, and that if he was not, he forfeited the throne. There was not a hint in the whole of the history of the Revolution as to the act of Charles 2nd being considered fundamental and inalienable. What occurred a few years after, in the reign of Anne? In the 4th and 5th of that reign, in an act of parliament empowering lords justices to exercise the functions of government in the event of the queen's demise, a clause was inserted forbidding the repeal of the Act of Uniformity. What security was there taken against the repeal of this fundamental and inalienable law of the 30th of Charles 2nd? It was true that a clause was proposed in parliament to be inserted in the act of Commission to prevent its repeal, as well as that of the Test Acts. What became of the proposition? It was rejected. This was the law, which, in those times, it was considered almost a sacrilege to mention, without considering it as one of the barriers of the British constitution. When the Act of Union between England and Scotland took place, the respective church establishments were protected by fundamental and unalterable securities. Did any man in either country venture to propose the 30th of Charles 2nd as one of those securities? In the House of Lords the Test Act was proposed, but the proposition was rejected. In the articles of Union, the act of the 30th of Charles 2nd, was mentioned. But how mentioned? that it should continue "until parliament in its wisdom should otherwise provide." Was not that sufficient to prove, that the legislatures of both countries, England and Scotland, considered its continuance or repeal a question open to the deliberations of the United Parliament? They wisely anticipated, that a time would arrive when the tide of privilege might be permitted to run freely and unrestrained into the constitution.

How was this act disposed of at the period of the union with Ireland? It was allowed to continue until the United parliament should take that subject into their consideration. I this night (said Mr. Plunkett) most seriously call upon that united parliament to direct its attention to its consideration. Backed by the original principles of the constitution, by the object and scope of the course of our history from the Reformation to the Revolution —backed by the concurrent declaration of the legislatures of England and Scotland on the first union, and of the parliaments of England and Ireland on the last—backed by the unimpeached loyalty, the unquestionable integrity of our Catholic fellow-subjects recorded in the enactments of the legislature, and guaranteed by their own oaths—backed by the numerous concessions of the last fifty years—by that spirit of Catholic conciliation which presided during the late reign, and which, if the arguments in favour of exclusion were at all tenable, would have been so many outrages on the principles of the Constitution—backed by the memories of the great lights and ornaments of that reign, of Dunning, Pitt, Fox, Burke, Sheridan and Windham—backed, I say, by the name of every man who possessed buoyancy enough to float down the stream of time;—I feel that I have made out—I had almost said that I have established—the position that I sought, triumphantly. But when I look around me, and reflect on those whom I miss, and who were present when I last had the honour of addressing the House on this question, I am checked. When I reflect that since that period we have lost Whitbread, the incorruptible sentinel of the constitution—that we have lost the aid of the more than dawning virtues of Horner—that we had then Romilly, whose mature excellencies shed a steady light on his profession, on his country, and his nature—that Elliot, the pure model of aristocracy—that the illustrious Ponsonby, the constitutional leader of the ranks of Opposition in this House, revering alike the privileges of the Crown and the rights of the subject,—are no more:—but above all, when I dwell upon that last overwhelming loss—the loss of that great man in whose place I this night unworthily stand: and with the description of whose exalted merits I would not trust myself;—God knows I cannot feel any thing like triumph! Walking before the sacred images of these illustrious dead, as in a public and solemn procession, shall we not dismiss all party feeling, all angry passions, and unworthy prejudices? I will not talk of triumph: I will not mix in this act of public justice any thing that can awaken personal animosity. I do submit, however, that I have established the point with which I started. I believe that many members are present, who have never by their vote given an opinion upon this subject; many who have entered the House, anxious to be informed, and, if not deterred to render justice if justice shall appear to have been withheld. I trust that they will not allow themselves to be dictated to by any man who may get up and assail their ears with such phrases as "the glorious principles of the constitution"—"the sacred principles of the Reformation," without showing that they have either been infringed or violated. Will they not require that these historical facts should be met and disproved by historical facts? Are the Catholics to be dismayed by one who gives them words instead of reasons, and who deals in gratuitous assertions instead of substantial arguments?

I may be unreasonable in my demand upon the patience of the House, but there is one part of the subject yet remaining to which I feel it necessary to advert. There are many who really think, and some who affect to think, that great dangers may result from concession to the establishment. I declare solemnly that if I could enter into that opinion—if I could see any thing of peril to the church or state—dear to my heart as are the interests of my fellow men, I would abandon these long-asserted claims, and range myself with their opponents. I therefore earnestly entreat the dispassionate attention of gentlemen to this part of the question. And here I must particularly apply myself to the right hon. member for Oxford (Mr. Peel), and I assure him that in selecting him, I do it with all the respect due to his talents, to his acquirements, to his integrity, and to his high principles as a statesman and a gentleman. I am well aware that there is no member likely to be more influential on this subject; and I may add, that there is no person whose being confirmed in what I must call unfounded prejudices is likely to work more serious injury to the country. Do I mean to say that the established church is not in any danger? No. But I say, that the danger, whatever it be, exists at this moment. It consists in the great disproportion between the population and the establishment—it lies in the narrowness of the basis; and I defy the art of man to find any other remedy than to take care that the interests of the population are connected with the state. The right hon. gentleman asks "What security can you give if we adopt this measure?" I reply, "Every security that we possess if we do not adopt it, and a great deal more." I say that concession cannot augment the danger: nay, I will go farther and assert that it is most eminently calculated to diminish it. Now, what is the danger as represented by the right hon. gentleman? And mark here that I state no danger; I give merely what was suggested by the right hon. gentleman.—It is this—that there is a large majority of the people of Ireland of a religion different from that of the establishment. My own opinion is, that that majority is larger than is usually supposed; but it is sufficient for me that there is such a disproportion as to produce danger. Further, the right hon. gentleman says, that that majority in Ireland principally contributes to the support of the clergy of the establishment, and entirely support their own church: that for spiritual purposes they are necessarily under the control of a foreign power, uncontrolled by the state; and that their own clergy possess an extensive influence over their feelings, prejudices, and passions, and that that clergy is appointed by its head, without the interference of the sovereign of this country. In addition, it is argued that this majority has been ejected by those who are now in possession of the establishment, and not ejected, as in England at the Reformation, by the force of public opinion, but by the strong arm of power, thereby unavoidably leaving behind discontent and irritation. Since the right hon. gentleman made that statement a new circumstance has occurred; namely, that some of these persons have now the command of our fleets and armies—that is, they are admitted to the possession of substantial power in the state: they are gradually advancing in numbers and wealth, and they are admitted to these important privileges by virtue of oaths. If, then, (the right hon. gentleman contended) the Roman Catholics are true to the principles of their nature—to their passions, sentiments, and impulses—if they are like ourselves, and governed by the same motives, they cannot be faithful to their oaths. According to his notion, then, these persons are admitted into the heart of the state, upon oaths by which they will not be bound, so that they enter tainted with the odious crimes of hypocrisy and perjury. In addition to all this, they are excluded from the remaining privileges of the state by oaths, and by oaths only. This forcibly ejected majority is not less than four or five to one; and I ask the right hon. gentleman—I ask any man interested in the welfare of the establishment—whether this is a condition in which matters should be left? Is this the bed of roses—the heap of Elysian flowers on which he is disposed to take his repose? Indeed, the manner in which he argued the question is most dangerous: he says, that if the Catholics are true to the religion they profess, true to their prejudices and passions, they must aim at the subversion of the establishment. If, then, they are bound to aim at its subversion, I hope we are equally strongly bound to aim at its support: all are bound to do so, as we regard our property, our lives, our liberty, and the connexion between the two countries. On the other hand, they are urged forward to its destruction, not only by every feeling of their nature, but by the awful sanction of religious obligation.—Thus Catholics and Protestants are in a state of interminable hostility: we are bound to support our establishment to our last gasp, and they to their latest breath are bound to attempt its destruction. Thus are we lashed together, for ever struggling and never in security.

Yet, cried the enemies of concession, "Would you come forward to disturb this state of blessed tranquillity? Let us remain in our delightful condition of ease and safety!" Let me ask whether they have a right to leave the country in this condition? If I could view the question as the right hon. member for Oxford looks at it, I would at once abandon all intention of legislation; not in the hope that I should bring back the freedom, the glory, and the security of our ancestors, but because I should think they were doomed to perish. I should retire from the question, not like him to a state of rest, but of torpor—not to repose, but to that insensibility which is the prelude to dissolution. I do not believe that the right hon. gentleman sees all the consequences to which his argument leads: in his view, toleration would be an act of suicide, not of liberality; and if, as he maintains, it be a necessary principle of their religion to pull down our establishment, we must on our part strive to pull down their faith: if this serpent of division be engendered under their altars, we must overturn those altars: if this spark of animosity be cherished and fed by their religion, we must extinguish that religion. This duty—this principle of intolerance which we impute to them, recoils with fearful increase upon ourselves; it resolves itself into the pure, unmixed, sublimated spirit of religious bigotry, and nothing else. It is really a great consolation to me, that in resisting this argument I at the same time vindicate the Roman Catholics from a frightful imputation cast upon them and upon the Protestants. On the part of the Roman Catholics, I will be bold to say, that they harbour no principle of hostility to our establishment. The precedent of the Scottish Union, formerly referred to by the right hon. gentleman, has really no application to the case: the Presbyterian religion was established at the Reformation; it was incorporated in the act of Union, and makes part of the fundamental law of the land. The reverse is the fact with the Catholic faith; and every rational Roman Catholic feels himself no more at liberty to attempt the subversion of our establishment, than to entertain the unworthy purpose of depriving an individual of his property. He knows that the same principle gives him and us life, liberty, and property; and he wisely prefers the Protestant establishment in an unimpaired state, to a Roman Catholic establishment in a subverted one. He is bound by the oath he takes, both as a man and a Christian, not only not to make the attempt, but to resist it, if made in any other quarter; and if indeed the oath were, as is contended, so contrary to the principles of his religion and his nature, it would be as unjustifiable in the legislature to impose it as it would be disgraceful in a Catholic to take it. I ask the right hon. gentleman on what authority he takes upon him, in opposition to the assertions, to the oaths of the Catholics, to brand and burn this stigma upon their foreheads? What have they said or done since the period of the Revolution to show that they mean to touch the establishment? This is answered by the assertions, that it is no matter what they swear; let them swear what they will the Catholics must break their oaths and our establishment must be endangered. The right hon. gentleman maintained, that he was authorised by his views to exclude them from this state on principles that would make them unworthy of any state. I cannot find in the large volume of human nature any principle which calls upon the Roman Catholic to subvert that state by whose laws he is protected, merely that the heads of his priests may be decorated with a mitre; and the right hon. gentleman must excuse me if I say, that he equally mistakes the institutions of man and the principles of human action. The alliance between church and state depends upon principles of the highest kind, and its consequences are beneficial to any man who professes any religion. The Catholic does not indulge the chimerical notion of heaving the British constitution from its basis, that his priest may wear lawn sleeves and a mitre. If, however, he is excluded from the privileges of the state merely on account of his religion:—if he is made an invidious exception in a country which permits the talents and virtues of all other men to advance them to the highest honours: and if this exception extend to his posterity—"*nati natorum et qui nascentur ab illis*," they will indeed have a sufficient motive to aim at the destruction of that state which heaps upon them only so heavy a load of injustice.

What then is the difference between us? If the House consent to the committee, one suggestion I should make would be, that the intercourse between the Roman Catholics of these realms and the see of Rome should be under the inspection of the state, and that it should be applied to spiritual purposes only. What is the remedy of the right hon. gentleman? To leave that intercourse as it is. I propose, in the next place, that, in the appointment of bishops and clergy, effectual means should be given to the Crown of being assured of the loyalty of the person selected. What is the remedy of the right hon. gentlemen? To leave it exactly as it is. He is strangely satisfied with the existence of these evils; he seems enamoured with the perfection of his danger, and to his utmost resists every attempt to mitigate it. But my third and last remedy, in comparison with which the rest are trifling, vain, and nugatory, is, to incorporate the Roman Catholics with the state, that their interest may be our security; to rivet them as it were to the state, and through the state to the establishment. I would unite the Catholic by every affection and every good feeling of his nature—by every motive that can operate upon his heart and head—by every obligation that can bind his conscience, and every argument that can convince his understanding; not so much by adding to his power as by removing every offensive exclusion—every unworthy distinction. Now what is the object of the right hon. gentleman? To leave him as he is. Gracious heaven! To have the great majority of the people of Ireland bound by every law of nature to aim at the subversion of the state; for to me the subversion of the state is the subversion of the establishment! I do not propose here to strike the shackle from his limbs, for he is free; but to remove the brand from his forehead, for he is stigmatised. I would not have him a marked man and a plotting sectary, but would raise him to the proudest rank that man can attain —to the rights and privileges of a free born subject. Do not I entreat you, as sincere friends to the Protestant establishment, reject this appeal for justice and grace. Do not drive your Roman Catholic brother from your bar a discontented sectary. Do not tell him who wishes to be a friend, that he is, and ought to be an enemy. The power of all men depended upon their numbers, wealth professions, upon their interest in commerce and manufactures, and upon their rank in your fleets and armies. These are, and have been, the imperishable materials of political power since the foundation of the civilized world: gold and steel are the hinges of the gates of political power, and knowledge holds the key.

The right hon. and learned gentleman proceeded to assure the House that the hatred of the Roman Catholics would never increase because they were admitted to the privileges of the state. The cry of the meanest individual from the remotest corner of the country, when supported by truth and justice, found an echo in every honest heart within the walls of parliament and within the limits of the empire; and, in all conflicts between governments or large divisions of the people, that party ever succeeded on whose side truth and justice took the field. Victory belonged to those only who ranged themselves under this invincible standard, and the enemy who resigned it lost all the terror of his arms. One word more on this point, and he had done. Did the right hon. gentleman mean that concession should never be made?—that the penalty should for ever be inflicted?—that Ireland should remain as it were a moral jungle only fit for the abode of beasts, and men like beasts? He would probably answer no: he was compelled so to answer, because he could not refuse to admit that restriction was an evil. He maintained, however, that there was a point at which concession must stop. The state of the Catholic generally, according to the bill of 1793, was such as could not now be reconciled to just policy or sound reason. Was it right that he could appoint to any office in a corporation, and yet not be eligible to fill the lowest? Was it reasonable that he should be admitted to the constituency, by being qualified to vote for a member of parliament and yet be declared ineligible as a candidate? If the intention of the Catholic was to subvert the church and constitution, why was he permitted to vote for members of parliament? If his intention was not to subvert either, why was he not competent to be elected? This view of the subject would show that it it was neither politic, rational or wise to leave the Catholic in the situation in which he was placed by the act of 1793, and that the right hon. gentleman had no good ground for wishing to continue him in that situation.

There was still one point which he could not pass over.—It was one that, besides its importance in relation to the empire at large, had a personal claim on himself—he alluded to the situation of the Catholic at the bar. He was admitted as member of that profession, but its power and honours were refused him: he was invited to display his talents and information in a public theatre, and every person bound to him by religion and affinity was gladdened at his progress; but, after advancing into honourable character in his profession; when his heart beat high with hope, and the prospect of success ought to have opened on his talents and attainments, he was obliged to stay short; his hopes were dashed to the ground; his manly and useful ambition was checked; he saw many of his friends who had started with him in the race, pass by him on the way, and he was left in a state of gloomy, hopeless despondency at the outer door of the temple, not allowed to step over the threshold to acquire any of those honours which invited his more fortunate competitors and thus his fate finally disheartened every person connected with him by affinity and religion, who had been delighted by the promise of his outset. Was it right to hold out hopes in this manner, only to produce a more cruel disappointment? Was it wise to turn the honest and useful ambition of the Catholic into disgust and fruitless despair? Was it politic thus to sow the seeds of discontent and disseminate them so lavishly throughout the country? He knew many Catholics in the profession, and he knew them to be as loyal and as much attached as any men could be to every part of the constitution. He knew them to be actuated only by such motives as honest and well-affected subjects could avow, and he felt the disgrace which was inflicted on the bar by their exclusion from its honours. For the Protestant part of that bar, and on its behalf, he besought the House to rescue them from the stigma of this odious monopoly, and to give to talents and honourable exertions their fair reward.

But it was asked where concessions should stop? He answered, concessions should stop when there was a necessity that exclusion should still exist; but that necessity should be clearly made out, and the difficulty which attended it would be more than compensated by the result; for wherever the necessity was clearly shown to exist, there the exclusion conveyed no insult. If the Catholic saw the reason, he was bound to submit, as the Protestant would be, whose law, which should be nothing but the supreme reason of the state, placed him of necessity under civil restrictions. Exclusion so originating could not brand the object of it; it might be felt as an inconvenience, but not suffered as a dishonour. It was for the purpose of seeing how far this necessity existed that he called upon the House to go into a committee. If the House did go into that committee, it was his design to propose that the declaration against transubstantiation should be removed from our establishment; and also to submit some alteration in the oaths of abjuration and supremacy. On behalf of the Protestant population, he would propose a measure for their security, and a pledge of the loyalty of the Catholics. There were many modes by which this object might be obtained, but that was not the time for considering any of them. The feeling which he wished to see acted upon was this—on the part of the Protestant, not to ask the Catholic for any thing in the way of security which necessity did not require; and on the part of the Catholic, not to refuse any thing which, consistently with his principles and conscience, he could give, although it might appear to him unnecessary. It was this mutual feeling, and this alone, which could lead to the removal of prejudice, the abandonment of irritating or extravagant propositions, and produce final and complete conciliation.—The right hon. and learned member, who had been heard throughout with the most profound attention, only interrupted by frequent cheers, concluded, amid peals of acclamation from all parts of the House, by moving,

"That this House do resolve itself into a committee of the whole House, to consider the state of the laws by which oaths or declarations are required to be taken or made as qualifications for the enjoyment of offices, or for the exercise of civil functions, so far as the same affect his majesty's Roman Catholic subjects; and whether it would be expedient, in any and what manner, to alter or modify the same, and subject to what provisions or regulations."

Mr. *Denis Browne* seconded the motion.

Mr. *Peel* said, that nothing but the mode of argument pursued by the right hon. member, and the direct personal interest which he took in a mode of attack so novel and unusual, induced him to rise at that early period of the debate. He was aware that he should justly incur the charge of presumption by following the right hon. member under other circumstances, but the necessity of defending himself on an occasion when he was so directly assailed, would be his apology to the House. He knew well, that under any circumstances, his adversary would be an overpowering antagonist, but under the present, when he replied to a speech which he (Mr. Peel) had made four years ago, and which he, having the power of tearing it to pieces then, by that extraordinary faculty of reasoning which he possessed, chose to leave unanswered until that night, when, besides his great talents, he had every other advantage, the difficulty was beyond calculation increased; but whatever the disadvantages might be he was resolved to attempt a reply to the, right hon. gentleman, who had ushered in his arguments by reference to the opinions of so humble an individual as himself. In attempting to follow him, he would first allude to that subject with which the right hon. gentleman, had prefaced his powerful speech, when he paid that feeling and eloquent tribute to the memory of the departed senator under whose auspices this question had been first brought before the English parliament. He felt it his duty to state, that all which that eulogium said of the late Mr. Grattan, had his full and heartfelt concurrence. There was not a word of it to which he did not fully subscribe. It might seem presumption in him to follow the orator who had so well characterised departed worth, and arrogate to himself the right of praising so great a man.

He had not, like the right hon. gentleman, enjoyed with the subject of his eulogium those early habits of intimacy—he had not maintained with him that political relationship—that unity of public object—that *necessitudo sortis*, as it was expressed by an elegant writer, which tended to draw so closely the alliance of the intellect and the heart. Though such was not his knowledge of the late Mr. Grattan, he knew him, sufficiently enough to be able to concur in every thing which his eloquent friend said of him, and felt that he had not exceeded the strictest truth in bearing testimony to the lustre of virtue and of talent by which he was so eminently distinguished. He wished to convince those who were not so well acquainted with him, that a feeling of affectionate regard had not made him estimate too highly the merits of that ornament of his country, nor had he been seduced by the partiality of private friendship to over-rate the splendid qualities of his character. As to his conduct, whether in public or private life, there was no one who admired him more than he did. He was going to say, that he was his political opponent; but he could not with propriety make use of that term. They had differed, indeed, on that unfortunate question; but they were in nothing else so much at variance as to be political combatants. But whether in opposition or not, there was in Mr. Grattan that mild dignity which obtained him universal respect, while, to quote his own expression, his "desperate fidelity" to his cause gained him universal admiration. But of all his great qualities, none was more apparent than his readiness to give up whatever interfered with his public duty, and even to sacrifice a part of his reputation, where a great public principle required it—a quality which had justly been described as the peculiar characteristic of great minds. But, while the country had to lament the loss of Mr. Grattan, he must be allowed to say, that the great question which the vigour of his mature genius, the decline of his life, and even his departing breath, had advocated, met with a congenial supporter in the person of the right hon. gentleman, one fit to be the successor of the eloquent and intrepid statesman who had preceded him, and one, than whom no man was more worthy to wield the arms of Achilles.

He would now proceed to remark upon the arguments of the speech which had called him up; but he begged leave to premise, that if any gentleman supposed he rose to express an unqualified satisfaction at the state of things as they now existed, or that he was ready to take a temporary advantage, not of argument but of prejudice, and, like a skilful disputant, to turn to his own account whatever, not reason, but prejudice, could call to his aid, he laboured under a great mistake. He had never viewed the question but as a choice of evils; nor had he been ever satisfied with the alternative proposed; but it had grown out of the anomalous state of society, which he found pre-existing. He had selected that which he thought the best mode of remedying the evil, under the actual circumstances, without, by any means, looking on it as perfectly satisfactory. He had never thought the mode absolutely good in itself, but as a refuge from greater evils. This statement was not new, he had expressed it before. When the right hon. gentleman said, that he (Mr. Peel) was so pleased with the state of this question as it had been left in 1793—when he alleged that he was so delighted with the situation of things, could he think that he contemplated the subject with unqualified satisfaction? Did he suppose that he viewed it with perfect complacency? No: he (Mr. Peel) never could hear those names mentioned which were ranged in authority against him, as they had been cited in this instance, and feel altogether satisfied. He did not stand there to take any sophistical advantage of the arguments of his opponents. It was not the love of victory, but the sincere desire to state his honest conviction, which made him come forward; and if he could be actuated by any sordid and base spirit of opposition, he would be ashamed, with those great names against him, to look that House in the face. The authorities which had been referred to, made it the paramount duty of every man to examine the grounds of his opinion, and to ascertain that no interested views, no ideas of visionary danger, no irrational hostility to a great class of his fellow subjects, influenced his decision. But if, after such a close and scrutinising examination of their own motives, he and his friends found it necessary still to retain their opinions, he would trust to the liberality of the right hon. gentleman for doing them the justice to suppose, that it was in the fair and candid exercise of a free judgment concerning matters most important to the religion of the state, that they ventured to differ from him and the great authorities which he had cited. He must repeat, that there was no alternative but that which he had pursued.

The right hon. gentleman had declared, that every subject of the realm had a right to office; and in order to furnish ground for excluding him, it was necessary to show, from the circumstances of the country, some great and paramount danger. On this point he was at issue with him: he was decidedly of opinion that it was not the right of any subject to enjoy every office; and if he erred in this opinion, he had the consolation of erring with men whose names ought to have great weight with that House. When the right hon. member applied his principle as an argument for the removal of the civil disabilities under which the Catholics laboured, he had a right to consider to what extent that principle might be enforced, and therefore he must say, that if it was to be taken as an argument for conferring on the Catholics a capacity for office, there was no reason why it should not admit the various classes of Dissenters to the enjoyment of the same right. Under any circumstances, but particularly after the principle laid down by the advocate of the Catholics, if a permanent right of this kind was acknowledged in the one body, one equally permanent and co-extensive must be recognised in the other. This being taken as granted, what would be the inevitable consequence? Why, it would be necessary to repeal the Test and Corporation acts; not to modify, but to destroy their operation by a total and unequivocal repeal. On this point he had great authorities who dissented from the right hon. member, or at least who were hostile to the consequences which flowed from his argument. With him on this subject were Mr. Pitt, Mr. Burke, and, he believed, Mr. Windham. When a proposition was made in 1791 to repeal the Corporation and Test acts, Mr. Pitt said, they were the bulwarks of the church of England, and denied the soundness of the doctrine of Mr. Fox, which was that which the House had just heard. Mr. Burke resisted the repeal, though not on the same grounds; he said, that on two former occasions, when the repeal of those acts was proposed, he staid away from the House because his mind was not made up on the subject; but he stated in 1791, that although he would have voted for the repeal ten years before, he saw then in the existing circumstances of the country, sufficient cause to induce him to vote against it. Thus it was evident that Mr. Burke, whose authority was so high, had seen something in the conduct of the Protestant Dissenters which made him apprehend danger, and caused him to deny the permanent right of eligibility to office in that class of our fellow-subjects. —He had that night heard another authority quoted, as being favourable to the removal of the disabilities which affected the Catholics. He meant Blackstone; but he would ask the noble lord who had cited Blackstone, and who stated, that he had law as well as religion on his side, whether he had read the chapter which contained the passage he had quoted, and which had been written with so different an intention? The learned commentator on the laws of England, when he said a time might arrive when it would not be amiss to review and soften those rigorous edicts, alluded to the penal laws as distinct from the excluding statutes; and he went on to say, that there were two acts, the Corporation and Test acts, which were the bulwarks of the church against perils from Non-Conformists of all denominations, and under the last of these the Catholics were excluded from office; but a note of the commentator upon the learned judge, stated, "That now by the statute 31st Geo. 3rd, chap. 32nd, which may be called the Toleration act of the Roman Catholics, all the severe and cruel restrictions and penalties enumerated by the learned judge are removed." Thus it was evident, that Blackstone only meant the penal statutes inflicting a punishment, and not the excluding ones, which only disabled from office.

But the right hon. member had declared it to be alien to the spirit of the constitution, that any liege subjects of the realm should labour under civil disabilities. He had alluded to times antecedent to the era of the Reformation. Arguments, however, drawn from such a period had no weight with him; he could not allow them to affect the present establishments of the state. It should be recollected that before the Reformation, the Catholic religion was the established religion of the state. The imperfect state of civil information, the arbitrary principles entertained by the sovereign, but above all, the circumstance of the Catholic religion being the established one, made references to that period lose all consideration with him. But the fact was, the present situation of the Catholics began with the Reformation. The 1st of Elizabeth required every one in office to take an oath, which asserted, that not only no foreign state had a jurisdiction or dominion in this realm, but also that the queen had supremacy and dominion as well in ecclesiastical as temporal matters. The 5th of Elizabeth required the same oaths, and the admission of spiritual as well as temporal power of the queen. Would the Roman Catholics of the present day take that oath? If they would not take that oath, why, he would ask, were they less objects of jealousy than the Roman Catholics of that day? Did any one think that the object of that statute was not to exclude the persons not taking that oath from power? In the course of the debates upon the repeal of the test against transubstantiation, it was argued that no Roman Catholic had sat in parliament from the reign of Elizabeth to that of Charles the 2nd, because the oath of Supremacy was effectual. If that were the reason of preventing any Roman Catholic from sitting in parliament, it would be now rather too much to say that there was no intention to exclude.

He would pass over the reigns of Charles 2nd and James 2nd, and come to the period of the Revolution. On the doctrines professed and acted upon at that period he would rely, that no such unqualified right of the subject to office as that contended for by the right hon. gentleman had been recognised. He relied on the authority of the greatest names in stating, that there was a clear distinction between toleration and power, and between laws which imposed penalties and those which only excluded from civil offices. At the Revolution it was never supposed any man could regard such exclusion as a disgrace; nor was it believed that such exclusion rendered him unfit for the purposes of civil society. It was not because such a principle was maintained at the Revolution, that he thought it ought now to be upheld; if his own conviction of its propriety did not go along with it, he should not advocate it on that account. If it was mentioned in the Bill of Rights even, he would disclaim it, if founded in injustice; and he would claim on the part of the legislature of the present day, the right to repeal it. When he referred to the Bill of Rights he did so for the purpose of showing that it acted upon the principle of exclusion, which was recognised at the Revolution. He had heard in the last week from an hon. and learned member opposite a warm and just panegyric upon king William whom that hon. and learned gentleman (sir J. Mackintosh) had described as the advocate of toleration and liberality. He had heard that hon. and learned gentleman ridicule the charge of illiberality made against king William. To the justice of that eulogium he would subscribe; but he would beg leave to ask what were the opinions of that prince in 1687, when he was consulted upon the Test and Corporation acts. It was proposed to him, if he would consent to the repeal of those acts, that king James would do all in his power to secure to him the throne; that his friends would be put into power. But what was the opinion of this person who was held out as the advocate of toleration and liberality? Did he admit the unqualified right of every subject to office? Did he think it necessary to exterminate the religion, or that he fixed a badge of infamy upon Roman Catholics because he did not admit them to power? Hear his own words, in the letter which king William had written in the year 1687, before he came to the throne, and before he was fettered by a party anxious for the exclusion of Roman Catholics. The letter said, "If his majesty thought fit further to desire their highness's concurrence in the repeal of the penal laws they were ready to give it, provided always that the laws which shut out Roman Catholics from parliament and all places should remain in full vigour; but their highnesses could not agree to the repeal of the Test laws, which were enacted for the security of the Protestant religion against the attacks of the Roman Catholics; and in this, they did not think they could be said to carry any severity against Roman Catholics, as the qualification for a member of parliament was a declaration, before God and man, that he was for the Protestant religion." Could any distinction between penalties for the profession of a religion and exclusion from parliament, be more clearly expressed? He hoped the House would not infer from this, that he subscribed to all the doctrine contained in that letter; as he only quoted it as an authority in contradiction of the argument of the right hon. gentleman. King William further stated, that he would be glad to see some good reason for repealing those laws, which were enacted for no other purpose than that of preventing the Roman Catholics from overturning the state, as these laws inflicted neither fines nor punishment, and only excluded from power those persons whom the experience of every day showed it would be dangerous to trust, since all persons in public employments more or less favoured the advancement of the religion which they professed." He would ask nothing more than the authority of king William for the vote which he should give, provided he saw there were rational grounds for that opinion. But there were other opinions on which he would infinitely more rely, to show that the principles of the right hon. gentleman had not been recognised by the British constitution, and that it was not admitted by those most competent to judge. The right hon. gentleman said, "Do you find in the Bill of Rights any exclusion?" He would ask the right hon. gentleman—Do you find in the Bill of Rights any unqualified right to office? Did not the right hon. gentleman find that in the three first articles of that bill it was stated, that James had arrogated to himself a dispensing power? He knew it was perfectly consistent with the principles of these men to call into question that dispensing power, even if it were exercised in dispensing with bad laws, and he did not therefore draw any argument from it. He only wished to show that in the recital of the Bill of Rights the dispensation of the laws which excluded Roman Catholics from power was noticed.

He must now, even at the risk of wearying the House, call their attention to the authority upon which he mainly relied. Soon after the accession of king William an act was passed, tolerating the Protestant Dissenters, and this was sanctioned by men who entertained no extravagant opinions of Louis 14th or the power of the pope. An attempt had been then made, by introducing an act of Occasional Conformity to exclude those Dissenters. The Test act only required conformity at the time of entering into office, and it was only necessary once to take the sacrament in order to comply with that act, and after entering into office, the person might go to a meeting-house. This act for Occasional Conformity passed the House of Commons in 1702, but it met with great opposition in the House of Lords. A conference took place, and managers were appointed by the Lords and Commons to conduct that conference, the Lords opposing, on the ground that it trenched upon toleration. He would beg leave to mention the names of those appointed by the Lords. He thought their authority would have weight with that House—lords Peterborough and Halifax, the bishop of Salisbury, the duke of Devonshire, and John lord Somers, were appointed by the Lords; and he should now beg the House to weigh well the arguments of these men. Did they think the church in danger? In the year 1705, he would quote the words of a resolution agreed to by these men. He quoted it merely to shew that they had no apprehensions from the power of the pope or of Louis 14th:—It stated, that "the church of England, as by law established, which had been rescued by William 3rd, of glorious memory, was then in a most safe and flourishing state, and whoever insinuated the contrary, was declared an enemy to the queen, the church, and the kingdom." At that time, the very distinctions which he had that night been urging were drawn between penal laws and laws of exclusion.

The right hon. gentleman proceeded to argue, that if the doctrine which was then admitted were allowed to be correct; namely that it was proper to exclude from office such as entertained sentiments not in accordance with those of the established church, he had a right to apply it to the present case, and to use it as one ground of objection to the present motion. But, independently of that objection, he wished to know how far the right hon. member wished to push the principle which he had that night advanced, as also the reason which he had for applying an oath as a test to those who, he was well aware, were not allowed by their principles to take it. A certain class of dissenters would not take an oath at all; and the legislature had permitted their declaration in all civil cases between man and man, to have the same validity as an oath. The House would see that he was alluding to that loyal and respectable part of the community the Quakers. Now, the House required of them the same oath upon admission to office as it did of the Roman Catholic; and their inability to take it had acted upon them as an exclusion from office. He was not putting any fictitious case; circumstances had occurred, in which their refusal to take the usual oaths had disqualified them from discharging duties to which they were otherwise fully competent. A Quaker had actually been elected a member of that House, but he had not been permitted to sit in it, because he would not take the usual oaths. Now he would ask the House whether, in the case of the Quaker, they had any fear of his being influenced by the pope or by any other foreign power? He was sure that the House entertained no such fears; on the contrary, it was well known that the society of Friends exhibited in their conduct a pattern of every thing that was virtuous and amiable. In saying so, he meant them no flattery; he only did them the justice they deserved; and he was glad to have an opportunity of bearing his testimony to the generous manner in which they devoted their time, their money, and their labour, to the furtherance of every humane and charitable object. If, however, the Roman Catholic were admitted to a seat in parliament and to other offices, in the way proposed by the right hon. member, so also must the Quaker; and the principle which would be asserted by such an admission would lead to the introduction of such innovation upon the British constitution, that he, for one, must be permitted to oppose it. In doing so, he trusted that the House would not consider him as acting upon any intolerant or bigoted prejudices. He could assure the House that he was actuated by no such motive. He opposed the present motion, because if it were granted and danger should originate from it, the evil done would be irremediable. The present motion was, to introduce into the Statute book a new set of laws, conceding privileges and granting rights to those who did not now possess them: as such it was entitled to their most serious consideration. The House should recollect that they were legislating for posterity; and he, in doing so, could not shut his eyes to the danger in which such a proposition as the present might possibly involve the country.

He would admit, for the sake of argument, that none of the dangers against which the present penal laws were intended to guard the community at present existed; but, was it altogether certain that no others would arise in the lapse of years? Acting as a legislature, he was obliged to look at the history of the past; and reverting to it, not for the purpose of re-kindling the smouldering ashes of religious animosity, but for the purpose of directing himself with regard to the future, what was the result which it placed before him? He would shortly inform them. For the penal laws enacted in the reign of queen Elizabeth he found that the claim made by the pope to a supremacy over the kingdom was the alleged cause. No such claim, and consequently no such cause, at present existed. In the reign of Charles 2nd no danger was apprehended from the pope; but much danger was apprehended from a king indifferent to all religion, and who had among his counsellors a lord Arlington and a Bennet. In the reign of James 2nd the ground alleged for the penal laws then enacted was a king attached to the Roman Catholic religion, and doing every thing in his power to promote it. In the reign of William, the danger was of another species. There was no apprehension of the pope; there was no desire on his part to maintain king James against king William; on the contrary, it was said, in one of the histories of that day, that whilst he was giving to the ambassadors of James chaplets and indulgences for his master, he was giving money nominally to the emperor, to assist him in his wars against the Turk, but in reality to support William in his newly-acquired kingdom. In the reign of Anne, the penal laws were justified by the danger arising from the policy of Louis 14th who was doing all he could to destroy the power and prosperity of England, and who was acting in concert with a dangerous and discontented domestic faction. If, then, at five different periods, there had been five different dangers against which the penal laws were enacted as securities, how could he be certain that other dangers might not arise, even though he did not at that period see them, against which it would be necessary to use similar precautions?

The right hon. gentleman then proceeded to state, that it had been asked of him and other gentlemen who supported the same opinion on this question as himself, what had the state to do with religion, and why did it interfere with the direction of men's consciences? The state, he was ready to grant, had no concern with religion, when religion had no concern with the state. But in making laws to govern this moral and religious country, was he to exclude from his notice all considerations of religion? Was he to be told that he was not to meddle with any measures that were calculated to affect men's consciences? Was he to be informed that such interference was unnecessary, or that it had never been previously exercised? If so, how stood the fact with reference to the past? Was it from the pages of the history of England that hon. gentlemen had gleaned their information? or from those of Scotland? or from those of Ireland? or, last of all, from those of the three constituent parts of the empire collectively? Where was it that they found that among the motives which influenced men as political members of society, religion was not one? It could not be in this country: for what was it then which induced the right hon. gentleman, in bringing forward the present motion, to proclaim his attachment to the church of England? Why did he think it necessary, in order to guard himself against all misrepresentations, to declare that he believed the church of England to be pure and holy, and most wisely established? Why, except that he saw the great importance which was attached to such declaration, and the great influence which religion possesses over the minds of our countrymen? was he to be told, that he ought on so momentous a question as the one then before the House, to leave out of his consideration the influence which religion was certain to exercise even upon affairs of a temporary nature?

The next topic to which he should refer was, the observations which the right hon. gentleman had made upon the speech which he had delivered upon this question in 1817, in his place in parliament. He must complain, that that speech had not been fairly treated, inasmuch as the right hon. gentleman had forgotten to state that it was made with reference to the bill introduced into that House in 1813. That bill was founded on a resolution of the House declaring that it was expedient to go into a committee to deliberate upon some modification of the present penal laws that would be productive of satisfaction and conciliation to all classes of his majesty's subjects. A great part of what he had said in 1817 was in reference to that bill; and his principal objection to it was, that the arrangement which it proposed was not calculated to produce satisfaction and conciliation among all classes of his majesty's subjects. If he were asked what were the dangers which he apprehended from the passing of that bill, he would refer to the bill itself, of which full three-fourths was occupied in taking securities against apprehended dangers. He would put it to the candour of the right hon. gentleman, and would call upon him to state whether he thought that if that bill had been persisted in which he had said gave political power to the Catholic on conditions to which he thought that the most zealous Protestant could not object, and to which the most inimical Catholic could not refuse to accede, it could have been carried into execution in Ireland. Would greater difficulties have been found in carrying its enactments into effect among the Protestant or the Catholic part of the population? That right hon. gentleman had even called upon the House to suspend the usual course of legislation, and to wait until it knew whether the Roman Catholics would or would not acquiesce in its provisions. Was he right in stating that, if they had done so, the Catholics themselves would have prayed for the rejection of the bill? Was there not a general feeling of disapprobation excited against it, not only among the clergy, but even among the laity? Did they not say that they would prefer to labour under their present disqualifications rather than accept emancipation upon such terms as were then offered to them? Had not the House the authority of the pope, that the Catholics could have accepted them without incurring his disapprobation? And yet notwithstanding such a declaration from such a quarter, was not the bill itself considered as most objectionable by the Roman Catholics of Ireland? After such a steady refusal, originating from an honest and praiseworthy attachment to principle, of advantages which they had long wished to acquire, would he be justified in excluding from his consideration, the influence which such a religion must exercise upon the minds of those who professed it?

But the right hon. member had insinuated, that he had accused the Roman Catholics in a body, of perjury and disloyalty. He begged leave to say that he had done no such thing. It had always been his wish to discuss the present question with calmness and temper, and no man could be more unwilling than he was to condemn large bodies of men on account of the violent language adopted from interested motives by some of their members. There might be some obliquity of intellect in him that prevented him from seeing the propriety of yielding to the wishes of his Catholic countrymen, but he could assure the House that there was no hostility to them in his bosom. Indeed he should be guilty of the utmost ingratitude and illiberality, if he could include any set of men from whom he had received such assistance as he had done from the Catholics in Ireland, in any one sweeping charge of disloyalty or perjury. Allowing them, however, to be as loyal as any of their Protestant countrymen, and to be equally as incapable of falsehood and perjury, he still must maintain the doctrine advocated by lord Somers, that it was only reasonable that persons who were to be intrusted with high office, or with legislation, should give security for their attachment to the doctrines of the reformed religion. He did not charge the Roman Catholics with being less able to discharge their social duties with propriety than other individuals; but he was sure that if he were to be acting upon the same principles as those for which he gave them credit, and to be placed in the same situation with regard to the established religion of the country, as they were now placed, he could not feel an attachment to that religion which had displaced his own, or refrain from a wish to replace his church in the proud situation which it had formerly occupied. Was there any thing, then, in the doctrines of the Catholic religion, or any thing in the past behaviour of its professors, which was calculated to exempt them from that suspicion which he owned that he himself should have deserved had it been his fate to have lived in a Catholic country?

But though these apprehensions might be entertained, this he would admit, that so little was he satisfied with the present condition of Ireland, so anxious was he to remove all causes of dissension, both political and religious, from her inhabitants, that if he thought that the present measure would act, he would not say as the panacea to her distresses, but as an operative to restore that concord which he was anxious to restore to her, all his fears of danger to the church would give way, and he would be the first to hail the success of the present motion, as a happy omen of future happiness and tranquillity. The right hon. member he was sure, would observe that he had admitted the state of Ireland to be a dangerous state; for he was well aware of the political animosities which prevailed in it, and the religious jealousies which distracted its inhabitants, and no man could reprobate more than he did the existence of any system within it which tended to promote the interests of one class of men at the expense of those of another. On this point he believed that justice was done him even by those whose claims for emancipation he felt himself bound, upon principle to resist. For he could not review the past history of England and Ireland; he could not revert to the gallant struggle for mastery which had long been carried on between them, he could not recollect the perpetual transfers of power, the repeated confiscations of property, and the constant bickerings between the Catholic and Protestant interests of the country, without thinking that they were sufficient to produce that degree of animosity between the contending parties, which the right hon. member had attributed to the penal laws alone. He trusted that the progress of mutual refinement, and civility among the inhabitants of Ireland would lead to that general harmony among them, which he should vainly hope to see attained by the relaxation of that penal code, which it was the object of the right hon. gentleman to repeal. There might, indeed, be other causes, besides religious animosities which were calculated to retard the growing unanimity of the people of Ireland. There might be commercial and other laws, which had alike a tendency to keep alive popular fermentation. Admitting such to be the fact, it might be said, why then resist this single act of concession, this step towards the attainment of a more general spirit of harmony among the different classes of his majesty's subjects? His answer was, that he did not concur in the anticipation of such a result; he did not think that the repeal of the laws affecting Roman Catholics would harmonize contending and conflicting feelings. He did not wish to touch prospectively upon the consequences of intemperate struggles for power; he did not wish to use language which might be construed into a harsh interpretation of the acts and objects of men who pursued a career of ambition; but he must say this that if parliament admitted an equal capacity for the possession of power, between Protestant and Catholic, in this empire, they would have no means of considering the state of the population, of securing that equal division of power, which was, in his opinion, essential to the stability of the existing form of government. The struggle between the Protestant and Catholic would be violent, and the issue doubtful; if they were to be sent forth together as rival candidates, with an equal capacity for direct parliamentary representation, so far from seeing any prospect of the alleviation of points of mutual difference, he could only anticipate the revival of animosities now happily extinct, and the continuance, in an aggravated form, of angry dissensions now happily gliding into decay and disuse. [Hear, hear.] If the consequence of this alteration of the constitution should be accompanied with an alteration in the duration of parliaments —if, instead of sitting for seven years, they were to sit but for three, then again would the more frequent collision of Protestant and Catholic furnish a still greater accession of violent matter to keep to alive domestic dissension, in every form in which it could be arrayed against the internal peace and concord of the country.

These were his honest sentiments upon this great important question. They were uninfluenced by any motive but an ardent anxiety for the durability of our happy constitution. He spoke his own sentiments, without attending to the apprehensions of others, for he had taken no pains to collect what might elsewhere be the feeling of persons who thought upon this subject. Much had been said, both upon this and another subject, of the opinions which prevailed out of doors. Of these, or of the impressions which they diffused, he was perfectly careless; and upon that point he should say, that if this bill succeeded, and eventually revived hostile feelings among the people of this country against the concessions which it involved, he for one should not appeal to that angry spirit, if it arose against the principle of the bill. If the people of England became roused by its success, he should deprecate on this as well as he had done upon any other occasion, an appeal to their excited passions upon the wisdom or the justice of the measure. Against such appeals he should always set his face, believing, as he did, that the deliberative wisdom of parliament was better calculated to weigh maturely the important bearings of any great question, than the general opinions of parties elsewhere. If he thought the claims contended for were formed to promote the good of the state, the whole voice of England out of doors should not dissuade him from admitting the necessity of their adoption. It was because he thought the motion not calculated to promote any good purpose, that he was prepared to oppose it to the utmost of his means. His opinions and his duty here coincided and upon them he meant consistently to act. Upon this occasion he had declined resorting to any influence to counteract the fair consideration of this question. He had been, it was true, consulted about the means of opposing it, and he now solemnly declared that his advice was expressed rather against than for petitioning to impede the bill. He had told the parties by whom he had been consulted, that he cared not for their petitions; he valued them not; for, in his view, the House of Commons were fully competent to decide upon the whole merits of the case, unaided by external assistance. He thought they required no illumination from without, to enable them to form a sound decision upon whatever question was submitted to their consideration. This being his opinion, he had given no encouragement to counter-petitions upon this great question. He could most conscientiously assure the House, that no result of this debate could give him unqualified satisfaction. He was of course bound to wish that the opinions which he honestly felt might prevail; but their prevalence must still be mingled with regret at the disappointment which he knew the success of such opinions must entail upon a great portion of his fellow-subjects. If, however, on the contrary, the motion succeeded, no man who heard him would more cordially rejoice if his predictions proved unfounded, his arguments groundless, and that the result should exemplify the sanguine expectations of the right hon. mover, and give an increased confidence to all classes of his majesty's subjects, in that interesting country in which such union and harmony was most desirable.

Sir *James Mackintosh* said, that if the right hon. gentleman who had just sat down felt he had reason to allude to the disadvantages he laboured under, in having to follow so powerful a speech as that of the mover of this great question; if that right hon. gentleman thought he had reason to complain at being called upon to rise immediately after the great display of the prodigious talents of his right hon. and learned friend, who had often been admired for his commanding powers, never so greatly exercised as upon that night, when he had shewn himself to be the greatest master of eloquence and reasoning now existing in public life, how much more was he (sir J. M.) entitled to crave their indulgence, when it was his duty to follow in expressing a coincidence of opinion with a man who had exhausted every part of his subject. He was not sure that under such circumstances, and in the exhausted state of the side of the question which he meant to advocate, he should have intruded himself upon the attention of the House, were it not for some of the concluding observations of the right hon. gentleman who had just spoken. Were it not for these observations, he should not perhaps have seized this his first opportunity of delivering his sentiments in behalf of the great cause of religion, of liberality, of wise policy, of national unanimity, and, indeed, of national security. The right hon. gentleman had framed the greater part of his speech by assuming, that certain propositions had been laid down by his right hon. and learned friend, which he had never uttered, and by encountering other propositions which he had mistakenly attributed to him. His right hon. friend had laid it down as a general principle, that, by the law and constitution, every Englishman was of common right entitled to admissibility, not to admission to the privileges of the state. He had, however, never contended for it as an unqualified principle,—as one which was open to no exception or reservation. All his right hon. and learned friend had contended for was this, that every Englishman had a common right not to be disabled from an admissibility to the attainment of the distinctions conferred by the state. And in laying down this broad principle, so far from putting it free from exception or qualification, his right hon. and learned friend had justly and forcibly ridiculed the pedantry of those metaphysical politicians, who had attempted to reduce the system of legislation to the fixedness of an abstract science. His right hon. aud learned friend's arguments deduced from his positions, were principally expressive of his sense of the injustice of continuing these restrictions, and of the visionary danger which was apprehended from their removal. The right hon. gentleman opposite (Mr. Peel), in reply to the powerful reasoning of his right hon. and learned friend, had urged the danger to be apprehended from adopting such a course, and had enlarged upon what he called the successive dangers which at all times operated to prevent the adoption of such a measure both before and since the accession of the House of Hanover. But the right hon. gentleman had forgotten that this series of successive dangers uniformly arose from the prevalence of one apprehension, namely, the domination of a Catholic party at home, connected with some foreign powers, and acting in hostility to our own institutions. So that the succession of dangers alluded to by the right hon. gentleman ought rather to be described as one continued danger, which occasionally became more apparent from the influence of particular circumstances. The opinions of Catholics were then used as a test, with reference to the foreign influence complained of. So it was at the time of the danger apprehended from Philip 2nd; so it was in the time of Louis 14th; afterwards, during the reign of Mary, queen of Scots, and downwards to the time of the Pretender. But the danger in all these cases was one and the same, and alike imminent and urgent, and required from the lawyers who framed these disabilities the great exception which they felt themselves then authorized to make in the case of the Catholics. But this exception, and indeed every deviation from the broad principle of equal admissibility, was, as his right hon. and learned friend had said, enacted upon grounds professedly temporary, and with a limitation which the right hon. gentleman opposite had, in the whole course of his argument, studiously overlooked. The statesmen at the time of the Revolution were providing against what appeared to them to be great present danger: against that alone were they protecting themselves; and yet the right hon. gentleman, who appeared anxious to follow their example, thought he was doing so, by advocating a continuance of a part of these laws, not because he could see any present danger, but because he thought there might possibly arise some remote danger to the existing establishments of the state. The statesmen of the Revolution acted upon one undeviating principle of exclusion, arising out of a danger which they deemed to be palpable and immediate; while the right hon. gentleman was prepared to make permanent that which was originally meant solely for a specific and temporary purpose. With respect to the petition which had been presented from the English Catholics, he called the attention of the House to the fact, that they tendered a declaration which went the whole substance of that required by the act of queen Elizabeth, an act in the reign of that zealous queen deemed to be a sufficient test of the loyalty of Englishmen. The right hon. gentleman had laid great stress upon the danger which, in his opinion, must arise from the repeal of the statute of the 30th Charles 2nd, and had loudly declared, that to repeal that law would be to alter the whole frame of the British constitution. When the right hon. gentleman attached so much constitutional importance to the act of Charles 2nd, it was right to refer back to its origin, and to the circumstances which called it forth. Now, with reference to the history of that act, he would say, that no law which had ever been promulgated sprung from a more infamous origin; that no law ever flowed from so foul and impure a source; that never had a law been passed under circumstances of so detestable and infamous a nature, as those which attended the enactment of that statute which the right hon. gentleman seemed to revere, as if it were the great charter of the constitution. He had taken pains to refer to the Journals for the history of this statute. It had been passed on the 28th of October, 1678; and it was curious to see how the House had been occupied just before it adopted that act—to see in what manner it had prepared itself for grave deliberation—with what equanimity and temper it commenced the work of legislating for the exclusion of a great portion of the subjects of this kingdom. Would the House believe that, during the whole of the day preceding the enactment of this bill, the House had been busily occupied in the examination of Titus Oates? It was after this preparation, that the bill so praised had passed: when the minds of members were intoxicated with the flagitious perjury of that detestable and atrocious miscreant, whose shocking crimes had not only brought disgrace upon the country which he had duped, but had sacrificed the lives of so many innocent and deserving characters. In that manner had the bill been passed; and it furnished a melancholy instance of the facility with which the legislature was brought to enact severe laws, and the difficulty always manifested to have them revoked, even when their injustice was apparent. Here was an instance in which one abandoned and remorseless miscreant, an outcast from the human race, was able to inflame that House—to delude it at a moment when it contained the greatest patriots and the wisest men, some of whom shed their blood, and others had lived, for the deliverance of their country at the Revolution. Yet this single, foul, and wretched perjurer was able to hurry through a measure of exclusion against millions of his fellow subjects, which it took twenty years of all the genius and patriotism of England to struggle against in the hope of undoing. Thus twenty years of the labours of such men were unable to undo the falsehoods which it only took this wretch a single morning to utter. Who, then, could say that such an act was entitled to the weight which ought only to belong to measures deep and well digested for the public welfare? It was not a little singular that the right hon. gentleman should have arrayed the authority of William 3rd upon this occasion in support of his argument. No monarch had ever been more calumniated by an ungrateful posterity than that sovereign. It was true that a paper had been confided, by the prince of Orange, to the private agent of James 2nd. It was no less true that James was anxious for the repeal of the test law; as he wished to have had as many Catholic officers as possible in the ranks of his army, to assist in the accomplishment of his ulterior designs. James had two laws before him, one of which he thought he might have repealed. Had he, instead of attempting the repeal of the Test law, tried that of the Habeas Corpus act, there was every chance of his succeeding; for the people had not then had long experience of those frequent suspensions of that act which now rendered it so valuable to Englishmen! King James preferred, however, to repeal the Test law, and he failed in his attempt. King William formally declared that he would resist the repeal of the disabling laws, although he was ready to concur in a remission of some of the penal. And he added this very remarkable expression, that "if the remission of the penal acts were found to succeed, their king might subsequently consider of the repeal of the disabling laws." Bishop Burnet, indeed, who must have had excellent opportunities of knowing the fact, had stated that king William was a greater favourite of the Catholics than any other English monarch who ever sat upon the throne; he secured for them toleration, and protected them from the then existing severity of the law. The right hon. gentleman had referred to the debate upon the Occasional Conformity bill, but he was not justified in deducing from it any thing except this—that these laws were then the subject of constant evasion, just as they had been since George 1st's indemnity act. The right hon. gentleman had praised in becoming terms the character of lord Somers, and he hoped that any thing which might fall from him (sir J. M.) would not weaken the authority of that great man with the opposite side of the House. But the right hon. gentleman had strangely mistaken the acts of those times, when he inferred that, because their ancestors had wisely guarded against an existing danger, they meant to enact for future ages a perpetual exclusion bill. The right hon. gentleman was most unfortunate when he quoted the case of the Quakers, as being analogous to that of the Roman Catholics; they were, he said, admitted upon their own test in civil cases, but rejected upon it in criminal. This was, however, a singular, and he must be permitted to say, rather an absurd analogical argument to justify the exclusion of the Catholics. The right hon. gentleman wished to impress upon the House, that the one exclusion was not greater than the other. But did he recollect that the disabilities attaching to Quakers in criminal cases, to which he alluded, could not so much be said to affect themselves as the parties who required their evidence? As the right hon. gentleman had introduced the case of the Quakers, by way of illustrating the state of the Catholics, he should beg leave to pursue it for a similar purpose. Of all the sects which had sprung up in modern times, none had at the commencement excited more apprehension and disgust than the Quakers, yet none had shown in their subsequent intercourse with society more mild or benignant habits. They had alarmed all the authorities of the state at the commencement, by declaring all war unlawful, and by refusing to give in the courts of justice that test of veracity which was afforded by every other class in society. They had by such acts set a precedent of disloyalty to their country, whose invasion they would not repel, and whose laws they would not uphold. These acts naturally enough tended to alarm society, but yet experience of the conduct of that sect showed that their habits were not only harmless, but that they were a highly praise-worthy, respectable, and useful class of persons in the state. What was the objection to the Catholics? That they entertained opinions which, in their remote operation, might possibly under fancied circumstances affect the state. It was shamefully declared in the petition of the archdeaconry of Leicester, that the Catholics hold a mental reservation by which they could annul their tests. He was shocked at this imputation upon a religion which had been that of christendom for ten centuries—which had been professed and believed by sir Thomas More, by Fenelon—and yet it was the religion which could boast of such names, that was pronounced by the clergy of Leicester to be capable of tolerating such immoral evasion! Such an imputation he believed to be a gross outrage upon any set of Christians, and subversive of all society: is was a libel upon the Christian religion. If he had been present when the petition from Leicester was brought up, he would, if he stood singly, have divided the House against the reception of so gross a libel. With his consent, that petition should never have remained upon the table, for it was a disgrace to the country, and to the age in which we lived. The right hon. gentleman had throughout his speech laid a great stress upon securities, but he had throughout evaded the real question, and contrived to dazzle and bewilder it with details, which he ought to have known it was useless to discuss before the leading principle was settled. With respect to the influence which the emancipation of the Catholics would have on the established religion, the question was, would the established church be endangered by that measure? He was of opinion, that the danger to the church would be diminished by emancipating the Catholics. He appealed to the experience of history to show, that emancipation had always been the best security for the established church. Was it to be argued, that by giving to the better orders of the Catholic people, motives for adhering more strongly to the constitution, the legislature would endanger the constitution? If the door to office, to public honours, were thrown open to them, would they then begin to assail the institutions under which they would derive those honours? When Catholics sat in that House, were conspiracies fostered by Catholic members of parliament? No for the conspiracies were certainly fostered out of doors. Was the rebellion of 1641 encouraged or promoted by Catholic members of parliament? No; it found its supporters in quite another description of men—it was provoked by the severe and odious administration of lord Strafford. Again, were the English Catholic peers—were the English Catholic members of parliament, the persons who promoted the gunpowder plot? That plot was hatched in the immediate neighbourhood of that House, but the Catholic gentlemen who sat in it were guiltless of that transaction. There was, indeed, a plot—a real Popish plot; but it was a plot in which the king was the greatest conspirator. The Catholics who sat in that House had not abused the privilege. But even if they had—even if the Catholics, two centuries ago, in unsettled times, were betrayed into the commission of unworthy acts, their conduct would furnish little argument against the claims of the Catholics of the present day to the honours and advantages of that constitution which they so nobly defended in every quarter of the globe. The right hon. gentleman seemed to treat the numbers of the petitioners with great contempt. But, with him, numbers made a very material difference. Numbers should never be slightingly regarded: they were a nation's wealth, properly used; its greatest danger, if misgoverned or ill treated. The House had been told, that great peace and harmony prevailed in Ireland, notwithstanding the laws of exclusion. That circumstance alone was a strong argument for the removal of the restrictive system; for it was a proof that the people of Ireland were resolved to remain peaceable in spite of the irritation under which they laboured. The claims of the Catholics appeared to him to be strong, because they were founded on justice and on the principles of freedom —to be irresistible, because they were not only reasonable and just in themselves, but because they came from millions of men whom it was wise to conciliate, and whom it would be madness to provoke. The right hon. gentleman had talked of former wars, of confiscations of property, and of commercial jealousies; but in enumerating the causes hostile to the happiness and peace of Ireland, he had omitted to notice the laws of exclusion—a cause which poured fresh venom into all the others. It had been the misfortune of Ireland, from the first moment of her intimacy with this country, to be goaded and tormented by perpetual distinctions and divisions among her people. First, there was the distinction, unavoidable, but not therefore less painful, between the conquerors and the conquered; then came the distinction between old proprietors and new proprietors; next, the distinction of Englishman and Irishman; but the great distinction of all, the distinction which had served to keep alive every other contention, which had produced the dreadful insurrection in the reign of Elizabeth, and which had prolonged the miseries and retarded the civilization of Ireland, even to the present hour—that distinction was the distinction of Protestant and Papist—a distinction which animated political differences with that burning hatred peculiar to religious fanaticism. The laws from which the present motion sought relief had impeded the progress of Ireland's civilization, had condemned her brilliant and valuable talent to obscurity, and had reduced her to that state of civil dissension which ever had been, and ever must be, a state of weakness. The laws which the House was now called upon to abolish were the trophies which one body of the people of Ireland had erected over the defeat and degradation of another body: they were the brands which for a long course of ages, had been imprinted upon the foreheads of an immense mass of population; and those marks of degradation parliament was now once more called upon to efface. At such a crisis it was impossible not to advert to the intended visit of the sovereign to the country in question. His majesty would be the first king who, for a period of four hundred years, had entered Ireland in the way of peace. Henry 2nd, Richard 2nd, William 3rd, had visited Ireland; but they visited it as conquerors. Most singularly unhappy had been the fortune of that country. William 3rd, the preserver of England, was the conqueror of Ireland; the conqueror, perhaps, in a just and necessary war—but still the conqueror. He emancipated Holland, England, Europe; but he came a conqueror to Ireland. It depended upon the conduct of the House of Commons this evening, not whether his majesty should be received in Ireland with respect and cordiality, for that no doubt he would be, but whether he should, upon his first visit, enter that country as the benefactor of his people; it depended upon the decision of that House whether the king, upon his projected tour, should meet a flattering and short-lived popularity; or, whether he should land in Ireland as a guardian and a father, bearing to his oppressed and disunited subjects the invaluable blessings of the British constitution.

Lord *Bury* said, he could not but consider any law in the nature of exclusion, directed against so valuable a body of men as the Catholics of England and Ireland, to be a most intolerable grievance. In England, the Catholics were not in sufficient numbers to be dangerous, while their steady loyalty and patient obedience under the hardships to which they had been subjected gave a pledge for their good conduct when those hardships should be at an end. If the Catholics of Ireland were more numerous, the political arrangements of that country called still more loudly for the change; for no kingdom could be equitably ruled under laws which, of themselves, drew a line between the governors and the governed. Admitting, for the sake of argument, that disaffection to the government prevailed, he would ask, was the present system calculated to diminish it?

Mr. *Denis Browne* then presented himself.

Mr. *Wynn* apprehended it to be a fixed rule of the House, that a member who seconded a motion without addressing the House, could not afterwards speak in the debate.

The *Speaker* observed, that unquestionably the strict rule of the House was such as had just been laid down; but it was sometimes the custom of the House to allow, as a matter of courtesy, a gentleman who had seconded a motion to speak at a future period.

Mr. *Denis Browne* was loudly called for. He said, that the motion was for a committee to inquire into the truth of the allegations contained in the petitions of five millions of people, who paid the taxes, who supported the establishment, who had defended the country in times of danger, and who were nevertheless debarred the enjoyment of the constitution. If an absolute promise of emancipation had not been made to the Catholics, there certainly had been a hope held out to them. Mr. Pitt saw that whilst the legislatures were separate, the claims of the Catholics could not be granted with safety—hence the Union. If before that measure, it would have been madness to grant those claims, he thought it would be madness to refuse them now. Was the House prepared to shut the door against inquiry—to stop the Catholics *in limine?* If so, they would scatter the seeds of future woes.

Mr. *Dawson*, of Londonderry, said, it was with great reluctance that he obtruded himself upon the attention of the House, being conscious of his inability to offer any observation which had the charm of novelty. Before he proceeded upon the discussion of the question, he wished to guard himself against the consequences of any hasty or indiscreet expression. It was far from his wish to encrease the animosities which had already been engendered; he would much rather live with his Catholic countrymen, many of whom he loved and honoured, as a friend and a neighbour, than be regarded with an eye of suspicion. In private matters he had never made any distinction between a Catholic and Protestant, but in public matters there was much to complain of, and he should express his opinion with boldness, but without bigotry, and resist their claims with firmness, but without hostility. From the contents of the petition which the right hon. gentleman had presented, and from the speech of that right hon. gentleman, a person unacquainted with Ireland might be induced to suppose that the Catholics were in the lowest state of political and even personal degradation. No argument at all calculated to excite the feelings had been spared to win over the reluctant and hesitating, to what they termed the cause of liberality and justice. When their advocates assumed the pathetic tone, we were told that they were aliens in their native soil, that the penal code obstructed them in every situation of life, that it damped the industry of the peasant, chilled the ingenuity of the mechanic, and blasted the ambition of the nobility and gentry—that they enjoyed their property by sufferance and cultivated their religion as a boon. These were the arguments applied to the feelings. They had often been successful; and if they failed recourse was had to our fears. When the Catholics themselves plead, they disdain the mild tones of supplication; they talk of their numbers, their power, their importance, their possession of the country. They tell you that they possess all the energy, all the industry of the people of Ireland; that they possess the greater part of the trading and manufacturing interests; that the agricultural class is exclusively Catholic; that they occupy the best positions for commercial and military purposes; that they have the readiest means of attack and defence. This is their language,—different, to be sure, from the tone of their advocates; but this also is successful. At one time they are aliens in their native land; at another time lords of its soil. Now, he asked, were these two statements correct? Were they on the one hand oppressed; or did they on the other possess all the power and resources of the country? So far from being oppressed, the condition of the Catholic was precisely that in which he might be expected to be found, from his inferiority in the empire at large, in wealth, property, and number, as well as from his hostility to the established constitution and religion of the country. To get rid at once of the accusation of oppression was to say, that the Catholics enjoyed the most perfect liberty of person, of conscience, of speech, of locomotion, the most perfect security of property, the equal protection of the laws, the most impartial administration of justice. Their religion was not only tolerated but encouraged by the state: they had an annual grant for the maintenance of a college; they became members of the constitution, by enjoying, in the most unrestricted manner, the right of the elective franchise, the army and navy were open to them; in short, with the exception of exclusion from a few offices, they enjoyed as great a share of liberty as it was possible for men to enjoy.—Under these circumstances, instead of allowing our passions to be inflamed and judgment influenced by exaggerated accounts of their humiliation, and of our injustice, we should examine whether those restrictions were not founded in wisdom and policy. It was an undisputed maxim, that where man divested himself of his natural liberty, and assumed the bonds of civil society, it would be impossible to maintain the grand principles for which men associate together into one community, namely, a safe and peaceable living and secure enjoyment of property, unless the majority had a right to determine the condition of the rest. It was a maxim in this House (at least it had been since the Test and Corporation acts), that the established religion was to be maintained for ever as the religion of the nation, and we had been taught to consider our liberties and our constitution so interwoven with it, that hitherto we had resisted all attempts against any alteration. This religion was adopted and cherished by the majority of the nation; but the wise and beneficent policy of our ancestors had left to the minority the most perfect freedom of person, the secure enjoyment of property, a valuable, though restricted exercise of political power, the impartial protection of the laws, and most complete liberty of conscience. These privileges could not be denied to any part of a free community, and the enjoyment of such privileges leave men but little reason to complain of laws enacted for the preservation of other rights to which they are hostile. The Catholics cannot complain of exclusion if they are not permitted to form one of a body, of which they would constitute, not only an unnatural and a distorted limb, but into which they would introduce a forbidden and fatal disease. They may demand protection and toleration, but they cannot expect confidence and establishment. These are the principles of the constitution recognised by Locke, Blackstone, and De Lolme. They are confirmed by the wisdom and experience of our ancestors; they are not only the practice of this country, but they are acted upon with more severity in every Protestant nation of Europe, above all, in those whose constitution bears the nearest resemblance to that of the British empire. To begin with those states which have something like a representative constitution, we find that the laws against the Catholics are very much in the spirit of our own. In Sweden, perfect liberty of conscience is allowed, but the establishment of schools and convents is strictly forbidden; processions and public ceremonies according to the Catholic rites are expressly prohibited; all attempts at proselytism, and all errors of apostacy, are punished with the most severe penalties. The authority of the pope in spiritual matters is subservient to the authority of the king, and his vicar apostolic is permitted to remain in Sweden so long only as he conforms to the decree of toleration, under all its restrictions. In civil matters, all persons, natives or foreigners, professing the Roman Catholic religion are strictly prohibited from holding any of the higher or lower offices of the state, they cannot become members of the Diet, but by the same beneficent policy which prevails in this country,—they have a voice in the election of the members of the Diet, though they have not the right of admission.—By a decree of the states of Holland and West Friesland, it is enacted, that no priest shall exercise the Roman Catholic worship, unless by a written consent of toleration from the states—that in all the different dependencies the priests shall abjure the authority of the pope in the most ample manner—and also the power of dispensation, of absolution; and shall even preach the pre-eminence of the states. All bulls, mandates, &c. from the see of Rome must be submitted to the council of the towns before publication: no new churches can be built without the consent of the burgomasters; and even with that consent they are not allowed to bear any resemblance to those of the established church. By the same decree, all Roman Catholics are excluded from being officers of justice, secretaries, and police officers. By an act of the senate of Hamburgh, the free exercise of the Roman Catholic religion is allowed; but it is allowed only in private buildings, without steeples or bells, or bearing any of the outward signs of a public church: all public processions are prohibited, and the senate assumes to itself the most complete control over the regulation of all ecclesiastical matters. These concessions are thought quite sufficient, and the Catholics are expressly forbidden to look for civil employments in the state, or even to express dissatisfaction at their exclusion, under a threat of the immediate revocation of the indulgence of the state.—In the more despotic nations of the continent, professing the Protestant religion, the exclusion under which the Catholic labours, though not so severe as in those states which have been mentioned, is, however, very comprehensive, and sufficiently manifests the suspicion with which they are tolerated. In Denmark, they are treated perhaps with more rigour than in any other country; for the exercise of their religion depends upon the arbitrary will of the king alone. No public place of worship is authorised by law, and it is allowed only as a matter of special favour to foreign ministers. The power of the pope is absolutely unknown, and though there is no express law to prohibit Catholics from filling any office of the state, yet the spirit of the law is inferred from there being no instance of the employment of a Catholic in the high civil departments. In Prussia they are treated with greater indulgence, as they labour under no exclusion from office; but in ecclesiastical matters the authority of the king is supreme, and no communication between bishops or individuals and the court of Rome can take place lawfully, except through the medium of the Prussian government. In Saxony the Catholics laboured under greater restrictions than prevailed in any other country, until the conquest of the country by Napoleon, who restored them to an equality of rights, but these privileges were gained by the power of the sword, and not with the concurrence of the nation.—Now, from this hasty sketch of the regulations affecting Catholics in Protestant countries, two things are apparent—that in those countries possessing a constitution in which the elements of liberty are to be found, in something like a representative system, the exclusion of the Catholic from civil office, and the restriction under which he exercises his religion, prevail with the greatest rigour. In Holland, Hamburgh, and Sweden, the Catholic is looked upon with the most jealous eye. What inference is to be drawn from this universal exclusion of the Catholic in the free Protestant states of Europe? Is caprice or prejudice the cause of their exclusion?—Certainly not: for they are uncertain and fluctuating in their nature, and cannot be assigned as a motive for general policy. Is tyranny? No: for it is incompatible with the free forms of government in those countries. No rational inference can be drawn, except that wisdom has dictated and experience has proved that the principles of the Catholic faith are hostile to the general principles of liberty. Another circumstance worthy of note is, that no Protestant nation under a despotic government ever allows the exercise of the Roman Catholic religion without some restriction. If this is to be found in despotic governments where the king can banish or imprison, for any attempt which he may think subversive of the law or religion, how much more careful ought a mixed and limited government to be, where no such summary power exists, in admitting those persons into power, who live under no government without suspicion, and under very few without total exclusion—and what is there in England alone of all the Protestant nations of Europe, to make her regardless of dangers against which every other nation is anxious to provide? If he was justified in concluding that concession could not be claimed as a matter of right, he would ask, is it politic to repeal these laws? He had not witnessed any thing on the part of the Catholics themselves to induce him to turn a deaf ear to the dictates of wisdom and experience: he would not follow theory and speculation in preference to practice. It was said that it would be an instrument of peace: he was sure it would be a cause of dissatisfaction. It was true the majority of the Irish nation was Catholic; but a very small number of that majority would be at all affected by complete emancipation. It was true also that the superiority of wealth, power, industry, and property, was on the Protestant side, and that every man would be alarmed. If prejudices exist, they are not likely to be removed by giving up to numerical majority alone all the privileges upon which the preponderating party in wealth and property have founded their security. If the Catholic is emancipated the Protestant will be alarmed, and we shall weaken Protestant loyalty without securing Catholic allegiance.—Can any man suppose that the inhabitants of the same country, divided so immensely in their religious sentiments, will not come into frequent collision? Suppose Catholic emancipation to be granted, are friendship and union to follow immediately? Are there no causes of dissension in the institutions founded upon a Protestant establishment, which have grown up with centuries? Would Catholics acquiesce in their existence, if they were complimented with the privilege of becoming judges, sheriffs, and members of parliament? In Ireland the corporations of all the principal towns are universally Protestant; they can admit or refuse whom they like. Would Catholic emancipation make the admission of a Catholic into the corporations more probable than it is at this moment, and would not his defeat founded upon the prejudice of the Protestant be more galling than his present disability? In election matters there would be the same source of discord: nine-tenths of the land of Ireland belong to Protestant proprietors, and a great part is occupied with Catholic tenants. In the event of a contest between a Protestant and a Catholic, the former would rely on his property and his influence as a landed man; the latter on his religion and the intrigues of the priest. If the former succeeded, the tenant would be exposed to religious excommunication; if the Catholic succeeded, the tenantry would be arrayed against the landlord Were there no seeds of mischief in such a conflict? Greater evil would flow from such perpetual struggles than from the present restrictive laws. If the law enabled a Catholic to be sheriff, his first act would be to name twenty-three Catholic land-owners, if indeed such a number could be found in any county, as the fittest persons to be grand jurors: the next year the Protestant would retaliate, and hence would arise an endless conflict. Were there no sources of discord to be found in the regulation of ecclesiastical affairs, upon the supposition that a bill had passed for the relief of the Catholics? Conceive the principles by which the pastors of the respective churches would be actuated? Conceive the pure and independent doctrines of our church, and the bigotted and servile tenets of the Catholic worship? Conceive the character of its ministers?—ours endued with a lofty idea of their own independence, and highly gifted with all the learning which the ancient and celebrated institutions of this country afford—theirs wringing a scanty subsistence from an impoverished and unwilling peasantry, drawing their education, as well as their principles, from the institutions of a foreign country:—our church flourishing in wealth and splendour, theirs existing in poverty and distress: our ecclesiastical establishments the richest in Europe, compared with the number of persons for whom they are provided: theirs, the poorest for the multitudes which are attached to them. Conceive this state of things, and can any man say that peace will be the fruit of the comparison? Is it in human nature to suppose that the Catholic body will continue to pay with patience for the maintenance of a double establishment, to one of which they are attached—to the other mortally hostile? Is it not natural for them to look back to the times when their church possessed all that wealth of which ours has despoiled them? Is it not reasonable for them to say, "restore the patrimony of our church, as you have restored the establishment of our religion" —and will not they find many advocates to support the claims which the majority of the nation make for an ecclesiastical establishment, which, contrary to all general principle, is now kept up for the minority? Can such a system continue in harmony, if the aggrieved and more numerous party have the power and inclination to attempt its destruction?—With this view of the case, it cannot be said that Catholic emancipation would heal the dissensions of Ireland: it would not remove the causes which have been described: they would remain untouched and undiminished. And, with such a conviction on his mind, he could not suffer such delusive arguments to remain uncontradicted, being convinced that Catholic emancipation would not remove the causes of discord between the Protestants and Catholics.

Mr. *Charles Grant* said, he would now trouble the House with the few observations which he had to make, because, from the advanced stage of the night, he might otherwise be precluded from delivering his sentiments on this important question; the delivering of which, in the situation in which he stood with regard to Ireland, he esteemed a solemn and imperative duty. He had listened with the utmost attention and the greatest delight to the eloquence with which the motion had been introduced—an eloquence which, while it called to the support of the policy which it recommended the names of the illustrious statesmen and great geniuses of former times, evinced the possession of a high portion of kindred talent. He had, indeed, heard the speech of the right hon. and learned gentleman with wonder and admiration, esteeming it worthy of the cause which it defended—worthy of the principles which it advocated—and worthy of the petitioners whose claims it stated and enforced. He presumed to think that their cause had made some progress, not only from the powerful eloquence and convincing reasoning of the right hon. and learned mover, but from the observations of his right hon. friend, who had spoken on the question as became the frankness and candour of his just and manly mind. His right hon. friend had, however, argued upon a view of the question which was not before the House, and had answered propositions which had not been advanced. He had argued as if it had been proposed to repeal all the disabilities under which the Catholics laboured, at once, without examination or deliberation; whereas, it merely pledged the House to inquire into them in a committee. He owned he was surprised to hear his right hon. friend draw a parallel between the repeal of the Catholic disabilities and the abolition of the Test and Corporation acts, and argue, that because the latter could change the former, it ought not to be taken into consideration. The prayer of the petitioners contained nothing offensive or revolting: they asked for inquiry; they besought the House to examine their case; and, if their claims should be shown to be founded in policy and justice, to remove the disabilities under which they laboured. His right hon. friend answered "True it is we feel for your situation; true it is your case is a hard one: but we cannot grant your request; for if we do so we must repeal the Test and Corporation acts!" The Catholics came boldly forward and said, that past causes of animosity ought to be forgotten; and that, in their present disposition towards our establishments, there existed no ground for alarm. To this his right hon. friend answered—"True, they are forgotten; but, in the revolutions of states, at some future distant period, we may become afraid of you; and we will, therefore, persevere in the same treatment of you as before, when you were really dangerous." It was thus that we treated the Catholics of Ireland. His hon. friend behind him (Mr. Dawson) had called upon him to follow him to Denmark, to Sweden, and Holland, and see how the Catholics were there treated. He would not obey the call of his hon. friend; he would not follow him to foreign countries; he would appeal to the British constitution, and call upon the House rather to set than to follow an example. Motives of policy and justice, which affected the whole empire, pressed upon parliament the consideration of the Catholic claims; but more particularly the interests of Ireland required that so important a part of the population should not be excluded from the benefit of the British constitution. The right hon. gentleman here drew an eloquent contrast between the state of the inhabitants of

Great Britain and Ireland, and attributed some share of the difference of circumstances in the two countries to the anomalous disabilities under which most classes of the sister kingdom laboured. He represented Ireland as subject to inconsistencies and anomalies of all kinds—suffering much local oppression and great general distress; having its higher classes excluded from privileges to which the lower were admitted; wanting that sympathy between the different orders of society, and that interchange and communication of sentiment and feeling between the different ranks of life, which constituted at once the glory and the security of England. In this country freedom lived along the line which joined all the classes of the community, and our institutions were conductors of the general feeling. Why was not Ireland in this state? Why was property there stripped of its influence? Why was it divested of the force of authority? What was the result of all this? Local outrages—distrust of the laws in a people disposed to obedience—extending to all classes of the community—operating in the higher classes to a contempt of the law, and in the lower to a transgression of it. He did not attribute all this state of things to the Catholic disabilities; but as little was he inclined to allow that these disabilities had no part in it. The system formerly pursued with regard to Ireland had been to legislate contrary to the opinion of the country. The calamities of the people followed, step by step, the system of degradation to which they were subjected; and the relaxation of the oppressive laws had been as invariably followed by improvement and increasing order. It should not be forgotten, that while Wales and Chester owed their liberties to Charles 2nd, Ireland owed her slavery to William 3rd.—When he heard of the inconsistencies that would be involved in granting the Catholic claims, he could not but contrast them with the inconsistencies of the present system, where Ireland might have Catholic electors, but could not return a Catholic representative—where Catholics might be magistrates, but not sheriffs—barristers, but not king's counsel. There was nothing more inconsistent in a Protestant king having persons of the Catholic religion in his council, than a king of the episcopal system having presbyterian councillors; and a parliament that might be filled with dissenters could admit, without inconsistency, a Catholic. But did the exclusion of the Catholics from the privileges they claimed produce peace or any corresponding advantages? No. If there was danger to our establishments from the admission of the Catholics, there was greater danger from their exclusion. There were two lines of demarkation on which the House might take its stand. First, it might have repealed the penal laws, and, after repealing them, might have stood on the existing disabilities, or might repeal both. But parliament had not stood on either. It had repealed all the penal statutes, and some of the disabilities, retaining others. It was contended that, if the Catholics obtained the abolition of the existing disabilities, they would become formidable to our establishments by becoming more powerful. This, he contended, would not be the case. As individuals, those who attained office or distinction would become more powerful; but the body would be less so, because less united. Besides, a government ought not to found its security on the weakness of its subjects, but on their confidence. There was no part of the constitution which ought to depend on the powerlessness of any portion of the subjects. It was impossible to tell the countless and nameless ties by which the constitution attracted to itself the affections of subjects; and therefore it was madness to persist in any measure, the inevitable tendency of which was to alienate those affections. He implored the House to consider that the fate of Ireland was at stake—to look at the state of the population of that country—to reflect on its present misery—and on what the parliament of Great Britain had already done for that country under the auspices of our late sovereign. Let it no longer be said of Ireland, that, having performed the duties which the constitution exacted, she was still excluded from the privileges to which she had a constitutional right. He called on the House to ratify this night the solemn contract of the union, and to make that great measure in reality what it was in name. What did Mr. Pitt, who had projected that measure, conceive to be its nature? What meaning did that great statesman attach to the following lines, which he had applied to the union of the two countries:—

"Non ego, nec Teucris Italos parere jubebo,
Nec mihi regna peto: paribus se legibus ambæ
Invictæ gentes æterna in fœdera mittant.

What, he asked, did Mr. Pitt understand by the eternal laws of confederacy, which were in future to bind those nations, not in the relations of conqueror and conquered, but in equality of laws? We professed to follow the policy of that enlightened statesman in our intercourse and relations with foreign countries; but on this system of domestic policy we have not yet acted, nor will the maxims on which that system was founded be reduced to practice, until the inscription on his tomb shall record the liberation of Ireland. Let them look to the recent improvements in Ireland. They would find that every opportunity had been seized of educating all classes of society in that country. They would there see a generous people making every effort, under every disadvantage, for improving the situation, and enlightening the minds of the lower classes of society. There were securities springing up where they were least expected, as if sent by Providence to remove a base and illiberal pretext.

Mr. *Luke White* said, he merely rose to make his acknowledgments to the right hon. secretary for Ireland, for his excellent and manly speech in behalf of his suffering country.

Mr. *Bankes* proceeded, amidst very general cries of question! to oppose the motion, but was altogether inaudible.

Mr. *Hart Davis* said, that upon a question of such vital importance, he should consider it right to move an adjournment, if any member was prevented from delivering his opinions.

Mr. *Bankes* said, that he felt no inclination to persevere against the sense of the House.

Mr. *Maurice Fitzgerald* rose merely to state a fact connected with the present question. The circumstance to which he wished to draw the attention of the House was, the insertion in the Gazette of an address, purporting to come from an association of Orange-men in Ireland. He understood that from among the addresses presented to his majesty, a selection was made for publication in the Gazette by the minister whose duty it was; and he was bound to say, in justice to ministers, that the individual who selected that address must have done so without the sanction of his colleagues, as it was nothing less than an insult to the sovereign. It was not perhaps generally known, that this class of individuals had been pronounced by the judges of the land to be an illegal association, inasmuch as they bound themselves to a conditional allegiance, and to principles unknown to the great body of the public. The address in question had been brought over to this country by the lord mayor of Dublin, and had been presented to his majesty, surrounded and emblazoned with those symbols of the association which were understood only by its own members. The lord mayor of Dublin, who had been employed to carry over this address, was his majesty's stationer in Ireland, and, he understood, had expected to receive the honour of knighthood on presenting it. A noble lord, remarkable for his suavity of manners, and his powers of enlivening even aldermen, had gone so far as to furnish the knight expectant with the motto "*pro patria*," which he conceived peculiarly appropriate to a stationer. Having failed, however, to obtain the honour which he had been led to expect, the lord mayor was condoled with by his friends, and an hon. alderman (sir W. Curtis) who was remarkable for his festive urbanity, had resolved "to cheer him up" with a dinner. He should only add his hope, that the presentation of party addresses would always be reprobated by that House, as it could never be desired that the sovereign of this kingdom should become the sovereign of a party or faction.

Sir *G. Hill* said, he had had the honour of accompanying the lord mayor of Dublin. He should oppose the present motion, because former concessions to the Catholics had failed to produce conciliation.

Lord *Castlereagh* could not suffer the question to go to a vote, without troubling the House with a few observations. The present was a subject on which he had frequently expressed his sentiments; but it was one which he never approached without great pain, because it compelled him to differ from those friends with whom he usually agreed on other political and national questions. Another circumstance that gave him pain was, that from what had passed he saw no great prospect of a more favourable issue to the question at the present moment than had formerly attended it; but still he conceived it to be his duty to express himself candidly and without reserve. He had often wondered that the extent of the question now remaining for discussion had so much importance attached to it. He could indeed conceive why the Catholics should consider it of great importance; because, as the right hon. gentleman had observed, it was natural for them to feel great interest in being excluded from those offices and honours which were open to the attainment of others, and in being considered, under the circumstances of the constitution, not as dissenters, but as Catholics. Still, however, the question at issue certainly did not appear to him to involve that degree of advantage on the one side, and of danger on the other, which ought to provoke the warmth that at present existed. He could not conceive how that mind was constructed which convinced itself of danger arising from the equality of Protestants and Catholics, or which could have any other objections to the establishment of that equality than a repugnance to change of every kind. He could not persuade himself, if this concession were made tomorrow, that it could bring the Catholics any accession of power, and he thought that the right hon. gentleman had stated this point more strongly than was borne out by the truth. Stress might be laid on the numbers of the Roman Catholics, and the danger which might be apprehended from that circumstance if ever they should attain any considerable increase of political power; but if we looked to other parts of the empire, and saw their numbers, greater out of all proportion, we could not for a moment entertain any idea of danger to the constitution from the numerical strength of the Roman Catholics, if they had the means or the inclination—neither of which he admitted—to turn their strength against the interests of the country. He would put it to the House, whether, considering the nice balance of opinion in that and the other House of Parliament upon this question, it was a subject which ought to be suffered to hang about them in an unsettled state? Looking at the present, and what might be the future state of Europe, he would ask whether such a question, calculated as it was to create considerable embarrasment, ought to remain permanently unsettled? Giving every credit to his right hon. friend for the candid and honourable manner in which he had discussed this question, yet he could not agree with him, that in the fear of future possible danger to the country, or even in the fear of a danger of our having a Catholic king, we ought to allow a question of the magnitude and importance of the present to hang about the government in an unsettled state. He had not understood, as his right hon. friend seemed to have done, that the right hon. mover had looked upon the question as one of right. If he had so done, he must differ from him, for he looked upon the question of admissibility as one which must be decided by the necessity of the case. He was fully prepared to maintain the right of the state to abridge the liberty of the subject, where that was found to be necessary for the general benefit; and this he held to be particularly applicable to the ecclesiastical part of the state; but he did not think that necessity now existed for the exclusion of the Roman Catholics. The Roman Catholic was not placed on the footing of dissenters from the Church of England in general; this was a marked and particular exclusion, and for which he could see no reasonable ground in the present state of the country.—The noble lord then proceeded to show, that there was nothing in the state of this country or of Europe, which could justify the continued exclusion of the Roman Catholics from taking that station in society which their growing prosperity had entitled them to; and that the apprehension of future danger from their increased power, was not a sufficient justification for their exclusion. In France, in the Netherlands, in Holland, and even in Germany, no such regulation was allowed. The treaty of Westphalia had contributed to eradicate such distinctions; and it was not therefore strange, that at the last congress at Vienna the only thing which had been unanimously agreed upon was, that the distinctions of religion should not be considered as a bar to the advancement of any man to a situation which he might be capable of filling properly. He appealed to the House whether such distinctions ought to be supported in this free country. Not even in Hungary, where the Roman Catholic religion was the established one, was the difference of religious sentiments held to be injurious to any persons in their political conduct. The reasoning of his hon. friend founded upon the practice of Hamburgh and of Sweden, ought not to be looked upon by the House as conclusive. Those concessions which he considered as fitted to be granted to the Roman Catholics ought to originate in a spirit of liberality; and he was proud to say, that of all the different religious divisions of the world, there was not one more disposed to liberality than the Church of England. When he applied this principle to Ireland, he saw the strongest reason for supporting it. He would not have it understood that the question of Catholic emancipation was ever held out to Ireland as a pledge for the union of that country with England. It was distinctly understood that that question was to be left entirely to the discretion of the legislature. Looking, however, to the situation of Ireland, he maintained, that the only practical mode of effectually putting an end to the embarrassments which were met in the government of Ireland would be, by removing the discontents arising from the present situation of the Roman Catholics. He would declare, that they could never expect to settle the differences which existed in Ireland, and to apply to that country the remedies which its internal condition required, until this question was finally and amicably adjusted. He felt that the established church in Ireland should be supported at all risks; for if ever attempts were made against it (which he could not anticipate as a result of the present measure), force must be opposed to force, and such attempts would be put down; but he conceived that that church might be sufficiently protected, not indeed by making the Catholic religion the established religion of Ireland, but by affording to it the same protection as to every other class of dissenters. With respect to the making a provision for the Catholic clergy of Ireland, he would say, that if that had been done before now, the internal situation of that country would be very different from what it was at the present day. He had submitted a proposition of this kind to the heads of the Catholic clergy, under the administration of lord Sidmouth, then Mr. Addington, and he was informed, that however liberal the offers which were made might be, the measure could not be carried while the lay part of that religion remained excluded from the privileges which they so earnestly hoped for. He thought the government acted wisely on that occasion. Nothing, he conceived, would contribute more to improve the state of Ireland, than such an arrangement. He did not mean that the clergy should be placed in a state of subserviency to the government; but that no measure could be more calculated to improve the internal state of the country, than the connexion of the Catholic clergy with the government of the country. It was impossible that it should be effected whilst the great body of the Catholics remained in their present state of exclusion. What they wanted was, to make the law respected in Ireland—to make it effective. But he knew that government never could have the same authority, or enforce its authority with due effect, whilst this exclusive system was continued. If the House should consent to go into the committee, he would do every thing in his power to forward the measure, because it was his conviction that until it was carried, a great defect would remain in the security and harmony of the empire.

Mr. *Martin*, of Galway, begged to oppose to the theory of the right hon. member for Oxford something that flowed on his mind from experience. Instances as likely to excite the Catholics against the Protestants, had occurred, as any that might be expected to rouse the Protestants against the Catholics; but the result had been satisfactory. The Derry Journal being prosecuted by the Catholics for a libel, a Catholic jury had given a verdict against a Catholic priest, and when Mr. O'Gorman brought an action against the Dublin Evening Post for calling him "a dishonourable blockhead," what did the jury tell him? Why they told him, that he was entitled to sixpence damages. This served to prove, that Catholics were bound by their oaths, and ready to perform their duty. He should certainly vote for going into the committee. If they wished to withdraw all the benefits that had been conferred on the Catholics, they might consistently negative the present motion; but having paid 999*l.* and obtained no receipt, if paying another shilling would procure the receipt, it would be wisdom for such an object to make so small an additional sacrifice.

The House divided: Ayes 227. Noes 221. Majority in favour of the motion 6.

List of the Majority; and also of the Minority.

MAJORITY.

Abercromby, hon. J.
Acland, sir T.
Alexander, Jos.
Allen, J. H.
Althorp, visc.
Anson, sir G.
Anson, hon. G.
Arbuthnot, rt.Hon.C.

Brandling, C. J.
Baillie, J.
Bagwell, rt. hon. W.
Barham, J. F.
Barham, J. F. jun.
Baring, sir Thos.
Baring, Alex.
Barnard, visc.
Barratt, S. M.
Beaumont, T. W.
Bective, earl of
Becher, W. W.
Bennet, hon. H. G.
Bentinck, lord W.
Benyon, Ben.
Blake, sir F.
Binning, lord
Birch, J.
Blair, J. H.
Browne, D.
Browne, P.
Browne, J.
Browne, Dom.
Broadhead, T.
Bury, visc.
Benett, John
Butler, hon. C. W.
Byng, George
Calthorpe, hon. F.
Calcraft, J.
Calvert, C.
Calvert, N.
Campbell, hon. J.
Carew, R. S.
Cavendish, lord G.
Cavendish, H.
Cavendish, Charles
Carter, John
Castlereagh, lord
Caulfield, hon. H.
Chichester, A.
Clifton, visc.
Clifford, capt.
Cocks, J. S.
Coffin, sir I.
Coke, T. W.
Colborne, N. R.
Concannon, L.
Courtenay, W.
Courtenay, T. P.
Crompton, Saml.
Crosby, J.
Creevey, Thos.
Daly, J.
Dawson, J. M.
Denison, W. J.
Denman, T.
Douglas, W. K.
Doveton, G.
Dundas, hon. T.
Dundas, Charles
Dunlop, J.
Don, sir A.
Dunally, lord
Ellice, Edw.
Ellis, C. Rose
Ellis, hon. G. A.
Ellison, C.
Evans, Wm.
Farrand, Robt.
Farquharson, A.
Fergusson, sir R.
Fitzgerald, lord W.
Fitzgerald, rt. hon. M.
Fitzgibbon, hon. R.
Fitzroy, lord J.
Fitzroy, lord C.
Fleming, J.
Forbes, lord
Frankland, R.
French, A.
Finch, G
Gladstone, John
Gaskell, Ben.
Glenorchy, visc.
Gordon, Robt.
Graham, S.
Grant, C.
Grant, J. P.
Grant, J. M.
Grant, F. W.
Grattan, J.
Grenfell, Pascoe
Griffiths, J. W
Holdsworth, T.
Harvey, C.
Hamilton, lord A.
Hamilton sir H. D.
Hamilton, Hans
Harbord, hon. Ed.
Harding, sir H.
Heathcote, G. J.
Hill, lord A.
Hobhouse, J. C.
Honywood, W. P.
Hornby, E.
Howard, hon. W.
Howard, hon. F. G.
Hughes, W. L.
Hume, Jos.
Hurst, Robt.
Huskisson, rt. hon. W.
Hutchinson, hon. C.
Hartopp, G.
Joliffe, Hylton
Johnson, C.
Kennedy, T. F.
Kingsborough, visc.
Lamb, hon. W.
Lambton, J. G.
Latouche, Robt.
Legge, hon. H.
Lennard, T. B.
Lewis, T. F.
Lloyd, sir E.
Lloyd, J. M.
Lloyd, Sam.
Lushington, Steph.
Lawley, F.
Metcalfe, H.
Mackenzie, T.
Maberly, W. L.
Macdonald, Jas.
Mackintosh, sir J.
Mahon, hon. S.
Marjoribanks, S.
Martin, John
Martin, R.
Mildmay, hon. P. St. J.
Milton, visc.
Monck, J. B.
Money, W. T.
Moore, Peter
Moore, Abraham
Morland, S. B.
Mostyn, sir T.
Neville, hon. R.
Nugent, lord
Nugent, sir G.
O'Callaghan, Jas.
O' Grady, Standish
Ord, W.
Palmer, C. F.
Palmerston visc.
Pares, Thos.
Parnell, sir H.
Pierce, H.
Phillimore, Dr.
Philips, G.
Philips, Geo. R.
Plunkett, rt. hon. W.
Pole, rt. hon. W. W.
Ponsonby, hon. F. C.
Power, R.
Powlett, hon. W.
Prendergast, J. S.
Price, Robt.
Pringle, sir W.
Pym, Francis
Plumber, John
Ramsay, sir A.
Rice, T. S.
Ridley, sir M. W.
Robinson, sir G.
Robinson, rt. hon. F.
Rowley, sir F.
Rumbold, C.
Russell, lord W.
Russell, R. G.
Scott, James
Sebright, sir J.
Sefton, earl of
Shaw, R.
Smith, Geo.
Smith, J.
Smith, W.
Smith, Robt.
Smythe, J. H.
Somerville, sir M.
Stanley, lord
Stewart, A. K.
Stuart, lord J.
Sykes, Daniel
Staunton, sir G.
Talbot, R. W.
Taylor, M. A.
Tennyson, C.
Tierney, rt. hon. G.
Twiss, H.
Upton, hon. A.
Vernon, G.
Wilmot, Robt.
Wall, C. B.
Ward, hon. W.
Warre, J. A.
Warrender, sir G.
Western, C. C.
Wharton, J.
Whitbread, S. C
Whitbread, W. H.
White, Luke
Whitmore, W.
Williams, J, P.
Wilson, sir R.
Wood, Ald.
Wortley. J. S.
Wynn, sir W. W.
Wynn, C. W.
Wyvill, M.

TELLERS.

Duncannon, visc.
Freemantle, W.

PAIRED OFF.

Belgrave, lord
Bourne, rt. hon. S.
Colthurst, sir N.
Crespigny, sir W. D.
Croker, J. W.
Cumming G.
Curwen J. C.
Ebrington, lord
Evelyn, L.
Guise, sir W.
Gurney, Hudson
Lester, B. L.
Maule, hon. W.
Maxwell, John
Newport, rt. hon. sir J.
Phipps, hon. Ed.
Pryse, Pryse
Ramsden, J. C.
Russell, lord John
Scarlett, John
Scudamore, R.
Tavistock, marq.
Tichfield, marq.
Wilkins, Walter

MINORITY.

Apsley, lord
Archdale, M.
Ashurst, Wm.
Astell, Wm.
Astley, J. D.
Attwood, M.
A'Court, E. H.
Alexander, J.
Ancram, lord
Bankes, H.
Bankes, G.
Bathurst, rt. hon. B.
Bathurst, hon. S.
Beckett, rt. hon. J.
Bent, John
Bentinck, lord F.

Beresford, sir J.
Beresford, lord G.
Bernard, lord
Blackburne, John
Blair, J.
Bouverie, hon. B.
Brogden, J.
Brownlow, C.
Brudenell, lord
Bright, H.
Bruce, Rt.
Burrell, sir C.
Burrell, Walter
Buxton, J. J.
Claughton, Thos.
Calvert, John
Cawthorne, J. F.
Cecil, lord T.
Chaplin, C.
Cheere, E. M.
Childe, W. L.
Cholmeley, sir M.
Clerk, sir G.
Clements, hon. J.
Clinton, sir W.
Clive, hon. R. H.
Clive, Henry
Cockerell, sir C.
Cole, sir Chris.
Cole, sir L.
Collet, E.
Congreve, sir W.
Copley, sir John
Cotterell, sir John
Corbett, P.
Cranbourne, lord
Crawley, Sam.
Cripps, J.
Curtis, sir W.
Curteis, J. H.
Curzon, hon. Rt.
Cust, hon. W.
Cust, hon. E.
Cust, hon. P.
Cooper, R. B.
Dickinson, W.
Dalrymple, A.
Davenport, D.
Davies, T. H
Dawkins. H.
Deerhurst, lord
Divett, Thomas
Dodson, D.
Douglas, John
Dowdeswell, J. E.
Downie, Rt.
Drake, T. T.
Drake, W. T.
Dugdale, D.
Egerton, W.
Elliot, hon. W.
Ellis, Thos.
Fairlie, sir W. C.
Fane, John
Fane, Vere
Fane, Thos.
Fellowes, W. H.
Fetherston, sir T.
Fleming, John
Folkes, sir M.
Fox, G. Lane
Fynes, H.
Gascoyne, J.
Gifford, sir R.
Gilbert, D. G.
Graham, sir J.
Grant, A. C.
Greville, sir C.
Gossett, W.
Grosvenor, D.
Handley, H.
Hart, General
Harvey, sir E.
Hill, sir G.
Holford, G. P.
Holmes, W.
Hotham, lord
Heygate, Ald.
Hodson, J. A.
Innes, John
Jenkinson, hon. C.
Jervoise, G. P.
Irving, John
Knox, hon. Thos.
Keck, G. A. L.
Kinnersley, W.
Knatchbull, sir E.
Langston, J. H.
Lemon, sir W.
Lenox, lord G
Leslie, C. P.
Leigh, J. H.
Leagh, F.
Lewis, W.
Lethbridge, sir T.
Lindsay, hon. H.
Lowther, visc.
Lowther, hon. H. C.
Lowther, J. H.
Lucy, G.
Lushington, S. R.
Luttrell, H.
Maberly, John
Macknaghten, E. A.
Magennis, R.
Manners, lord R.
Manners, lord C.
Mansfield, John
Martin, sir T. B.
Mills, C.
Mitchell, John
Monteith, H.
Morgan, sir C.
Morgan, G. G.
Munday, E. M.
Munday, G.
Musgrove, sir P.
Mountcharles, earl
Nightingale, sir M.
Ommaney, sir F.
O'Neil, hon. J.
Onslow, Arthur
Pakenham, hon. H.
Palk, sir L.
Pechel, sir Thos.
Peel, rt. hon. R.
Peel, W.
Pellew, hon. P. B.
Penruddock,—.
Pitt, W. M.
Pitt, J.
Pollen, sir John
Portman, E. B.
Powell, sir J. K.
Price, Richard
Paxton, W. G.
Pearse, John
Pole, sir Peter
Rogers, E.
Robarts, Ab.
Rice, hon. G.
Ricketts, C. M.
Rickford, Wm.
Robertson, A.
Russell, J. W.
Raine, J.
Ray, sir W.
Scott, hon. W.
Scott, S.
Seymour, Hugh
Seymour, Horace
Shelley, sir John
Shiffner, sir G.
Smith, T. A.
Smith C.
Smith, S.
Sneyd, N.
Somerset, lord G.
Somerset, lord E.
Stewart, W.
Strathaven, lord
St. Paul, sir H.
Stopford, lord
Strutt, J. H.
Sumner, G. Holme
Suttie, sir J.
Stewart, sir John
Taylor, sir H.
Taylor, G. W.
Thynne, lord John
Townshend, lord C.
Townshend, hon. H.
Tremayne, J. H.
Tulk, C. A.
Thompson, W.
Ure, M.
Valletort, lord
Vansittart, rt. hon. N.
Vivian, sir H.
Webbe, Ed.
Wallace, rt. hon. T.
Westenra, hon. H.
Wells, John
Wemyss, J.
Wetherell, C.
Whitmore, Thos.
Wigram, W.
Wilbraham, E. B.
Wildman, J.
Williams, Robt.
Wilson, T.
Wodehouse, hon. J.
Wodehouse, Ed.
Wilson, sir H.
Wyndham, W.

TELLERS.

Dawson, G.
Long, sir C.

PAIRED OFF.

Bradshaw, T. H.
Campbell, A.
Cartwright, R.
Clive, lord
Dent, John.
Estcourt, T. G.
Goulburn, H.
Lockhart, J. J.
Lowther, John
Luttrell, John
Montgomery, J.
Newman, Rt.
Nicholl, sir John
Noel, sir G.
Northey, W.
Powell, Ed.
Ryder, hon. R.
Scott, sir W.
Swann, H.
Ward, Robert.
Walker, S.
Worcester, marq.
Wynne, Owen
Yarmouth, earl

HOUSE OF COMMONS.

Thursday, March 1.

STATE OF EDUCATION IN IRELAND.] Mr. *M. Fitzgerald* rose to submit the motion of which he had given notice relative to the Education of the lower Orders in Ireland. The subject of education in general had already been so largely canvassed, and, as far as it related to England, had been so ably illustrated by his hon. and learned friend (Mr. Brougham), that it would be presumptuous in him to do any more on the present occasion than allude to those points that bore on education in Ireland. The state of that country was little known to many members; and he might therefore be excused for stating some facts, an acquaintance with which was necessary to enable the House to form a correct judgment on the present question. Previously to the 43rd year of his late majesty's reign, two commissions had sat in Ireland on the subject of education, and had made no fewer than 14 reports, full of interesting matter; but out of those reports, no practical measure had arisen. In the 43rd of his late majesty, another commission was appointed, which made 7 reports; but still, notwithstanding the recommendations contained in these 21 reports, nothing had been done for the promotion of education in that country. He did not deny that great exertions had been made by individuals, as well as by societies; but as yet no practical step had been taken to establish a general system of education. Perhaps the House would be very much surprised when he stated to them, under a few general heads, the magnitude of the sums at present applicable to the purposes of education in that country. There were in Ireland 70 schools on royal endowment, possessing annual funds of upwards of 8,000*l.*; 4 classical schools, under the endowment of Erasmus Smith, with funds amounting to 4,000*l.*; 20 diocesan schools, with large revenues; and 15 classical schools, two of which possessed funds of 1,465*l.* a year in landed property. There were, besides these, many schools for instruction in the English language, on private foundations, which had enormous funds, but in which the number of scholars was totally disproportioned to the great amount of the funds. There was also another description of schools possessing large funds, and which were peculiarly applicable to the education of the lower classes: he meant charter-schools, of which there were 39. Of these, the total annual grants amounted to 29,283*l.* and the total annual disbursements to 40,183*l.* The principle on which these schools were founded was totally distinct from all religious opinions; but he was sorry to say that the education of the poor was thwarted and limited in every possible manner in the Protestant schools, by their being required to renounce the Catholic principles before they are admitted. The sums possessed by all these schools, if properly applied, would be sufficient to extend education, and a knowledge of the principles of the constitution, to a large body, if not to the whole, of the population of Ireland. There was also the Foundling Hospital, Dublin, a well-known charity, of which the funds amounted to 32,000*l.* annually, and the number of children educated and brought up there was only 2,000. There were also 33 endowed classical schools, with annual funds of 9,000*l.* and which supported only 1,000 scholars. Independently of these charitable institutions, there were no less than 3,776 schools spread over Ireland, containing scholars to the number of 253,000 children. He stated these facts to show, that there existed in that country a very great disposition to instruct the lower orders, and on their part an extreme avidity to be instructed. He did not mean to impute blame to the second commission appointed under the late reign to inquire into the situation of these charities; but he did mean to say, that no actual good, no positive and beneficial measure, had followed upon the termination of their labours. His ultimate object was, to move, that the papers which were the subject of his present motion should, together with the reports to which he had adverted, be laid before a committee of the House. The total amount of the funds of different schools in Ireland, which might be made available to the general purposes of education, was more than 173,000*l.* per annum. This motion he should submit in the early part of the next session; and he begged to say that he should then lay before the House no speculative notions on the great subject of education in Ireland, but endeavour to propose some immediately and practically efficacious measure. At present he would move for "An Account of the Funds and Revenues of all schools on public or charitable foundations in Ireland, as far as they have been reported on by the commissioners for inquiring into the state of such schools; distinguishing the sources from which such funds and revenues are derived, and the number of scholars instructed in such schools respectively:" Also, "A statement, showing what measures have been taken for carrying into effect the improvements recommended by the said commissioners."

Mr. *C. Grant* observed, that the greatest credit was due to the labours of those commissioners, of the results of whose exertions the right hon. gentleman spoke so slightingly. No specific measure had followed he would admit, upon their valuable reports, owing to certain obstacles which had been laid, in due course, before the government. To remove those obstacles, he had prepared a bill, which he intended to bring before parliament.

Sir *H. Parnell*, though in general an enemy to aids of the nature which this subject was likely to call for, from the liberality of government, thought that it was one which might justify such a grant.

Mr. *Spring Rice* hoped it was not necessary to offer any arguments at the present day to shew that the advantages to be derived from the principles of general education more than counterbalanced the disadvantages. Should any one, however, doubt it, it would be satisfactory to its advocates to find, on reference to the Statute books, that our forefathers had recognised the principle. By a statute of Henry 8th it was enacted, that parochial schools should be established in Ireland for the instruction of the Irish youth generally. The preamble of that act set forth the necessity of such establishments, as calculated to bring a barbarous people into a coincidence of language and manners with a people who were civilized. He did not quarrel with the terms of the act, but he greatly regretted that its spirit and its enactments were not more strictly observed. By that act it was enjoined, that every clergyman who possessed a benefice in Ireland, should teach or cause to be taught, a school in this parish, and that the youth of the place should be instructed in the English language. For an omission of this duty, the act imposed a fine for the first offence; a large fine for the second; and for the third, the loss of his benefice. It was also enacted that every clergyman on his appointment to a benefice should take an oath to the following effect:—"I swear that I will teach, or cause to be taught, the English language, in a school in my parish." Now, he was sorry to find, that, notwithstanding the strictness of the act and the solemn pledge of an oath, which every clergyman was obliged to take at this day, so little attention seemed to be paid to this subject. There were 1,125 benefices in Ireland, out of which 736 only, had made returns to the orders of the committee in 1810, and of which 549 only had scholars in conformity with the regulations of the statute. Now, it was a fair presumption that those who had not made a return had no school; and according to that presumption, there were 576 clergymen who had neglected to do that which, by the oath they had taken, they were bound to do. This return was made in 1810, and he sincerely hoped that the clergymen could now make a more satisfactory return. The 12th of Elizabeth contained the enactments of Henry 8th, in favour of education, and would it now be denied in opposition to what was commonly called, the "wisdom of our ancestors," that education led to truth, and truth to virtue and happiness. He considered the subject of education to be of the utmost importance to Ireland; and he trusted under the conciliatory auspices of the right hon. gentleman, some comprehensive system of moral instruction for the poor of Ireland, would be brought into action. At no one time could it be more effectual in its application than at the present, when the mild and conciliatory administration of the right hon. gentleman had produced so favourable an impression in that country. It had been said (and he had heard the statement with regret, because he thought it very lightly made) that the Catholics in Ireland, and particularly the Catholic clergy were opposed to general education. As a friend to the Roman Catholics he denied this. They were opposed to it where it was connected, or where they suspected it to be connected, with a spirit of proselytism. Where that spirit did not dictate the system of education, no persons could be more favourable to it than the Roman Catholics. When they found that this spirit of proselytism was sought to be made the ground on which the blessings of education were to be bestowed, they were naturally opposed to it. When the established clergy were advised, under the sanction of an individual who had recently been advanced to the highest dignities in the church, that they were to teach the people, not only to believe in the religion of Christ, but they must also accept it as received and understood by the Church of England, was it to be wondered that the jealousy of the Catholics should be awakened? When they found their religion stigmatised in a late charge of the right reverend prelate, to whom he alluded as "a doctrine subversive of a christian ministry, annulling the value of a Redeemer's sacrifice, and disenthroning the Son of God," was it very surprising that they should feel some alarm, as well as some indignation?—These opinions of the right reverend prelate (the bishop of Killaloe) had, he was convinced, proceeded merely from a want of knowledge of the country to which he was sent. These opinions formed a striking contrast with the declared judgment of the board of education, in which those dignified characters, the primate of Ireland, the archbishop of Cashel, and the bishops of Killalla and Limerick had united. Those prelates in their 14th report had expressed their "unanimous opinion, that no new places for the education of the lower orders in Ireland, however wisely and unexceptionably contrived in other respects, could be successful unless it should be explicitly avowed, and clearly understood, that no attempt should be made to disturb peculiar religious tenets of any sect or denomination of Christians."

Mr. *W. Courtenay* bore testimony to the disposition of the Catholics to support schools which were conducted on a liberal system.

The motion was agreed to.

HOUSE OF LORDS.

Friday, March 2,

Naples—Conduct of the Allied Powers.] The Marquis of *Lansdown* rose, pursuant to his notice, to call the attention of their lordships to the transactions which had been, and which he feared, were still carrying on in the South of Italy. However strong his personal opinion on the subject he hardly knew whether he should have had the courage to introduce a subject of such importance, if he had not felt, after what had passed in that House, and in another place, that he was supported by the universal voice of the people of this country. With that conviction on his mind, he should have thought it an omission of duty, if he had not endeavoured to give to the general feeling the most effectual expression. He was the more inclined to do this, when he perceived by the latest accounts from the head quarters of the allies, that a most extraordinary delusion still prevailed amongst them as to the real sentiments of the British government. Notwithstanding the circular written by the secretary for Foreign affairs, and the explanations given to the continental powers, it appeared from the contents of the declaration lately arrived, and of the authenticity of which no doubt could be entertained, that up to the moment in February when it had been issued, the most extraordinary delusion existed, and was announced to the people of the continent, respecting the sentiments with which the proceedings against Naples were viewed by his majesty's government. It was his object, therefore, to place the opinion of the government and of the House beyond all possibility of doubt. In doing so he should avoid as much as possible recurring to the past conduct, or rather omission, of his majesty's ministers. He wished to take no advantage of that; much as he lamented that so many months should have elapsed without their finding it possible to make foreign ministers understand their motives—much as he was surprised that the secretary for Foreign affairs, who was personally acquainted with those ministers, should also have been unable to make them comprehend the views of this country, but should on the contrary have led them into a total misapprehension of them. The only use which he wished to make of that circumstance was, to impress upon their lordships the paramount duty which they owed to themselves and to their country, of making known and publicly embodying their sentiments. He should first consider what were the principles which the Allied Powers had proclaimed on the present occasion, and on which they had founded their proceedings; and, in the next place, what consequences were likely to result from their acting upon those principles. On the outset he must also state, that in speaking of the courts of Vienna, Berlin, and Petersburgh, he meant no disrespect to those courts; neither did he object, whilst governing their own territories, to their acting that part which became great powers, and which they had occasionally done to advantage. Because the principles on which such governments were formed, were such as he could not approve, he did not wish to interfere with their internal administration, for he well new that the nature of human affairs required the existence of different governments. He well knew in the commencement of the French revolution, when one of the wild dreams of those men misnamed philosophers, proposed to to reduce all governments to something like one uniform system, that such an attempt must fail. Whether it tended to make all nations equally free or equally slaves, to establish anarchy or despotism, failure, he was convinced must attend, and he fervently hoped, would attend such an attempt. As on the former occasion, a sort of republican purity was set up for a pattern, so now the standard was a certain monarchical principle into which were admitted only a very few grains of the alloy of liberty. This monarchical principal was that which he had with surprise and astonishment seen laid down in the document to which he had already alluded. It was stated, that the measures undertaken, and the views disclosed by the allied powers, were in conformity with the principles of the British government. Though particular relations and motives were stated to prevent our taking part in the resolutions of the other allied courts, yet it was asserted that this government had the same views, and that, as far as principles went, this government was perfectly agreed with the other powers. These principles had been disclosed at Troppau, and afterwards at Laybach. It was then full time for their lordships to consider what they really were; and he found them most distinctly explained in that state paper which had lately appeared under the title of the declaration of the allied powers against Naples. He saw in that declaration a complete *exposé*, of the false and wicked grounds on which the allied powers pretended to justify their attack on an independent kingdom. It was stated, that there existed a sect in Naples dangerous to the repose of Italy; and the existence of this sect was made a foundation for the proceedings adopted against the new government. What was said about this sect might be as truly as he believed it to be falsely stated; still, the allied powers were not entitled to draw from that circumstance any reason for attacking Naples. He was willing to admit that in a free country the existence of a secret political sect might be attended with mischievous consequence: but with its existence or non-existence foreign governments had nothing to do. Was he called on to condemn the existence of such a sect in a country in which men might by necessity be driven to take refuge under secrecy and disguise? That the sect described was to be found in Naples, was a circumstance far from constituting the right or the necessity of interference. But without the existence of something like a sect, certainly no improvement could have been made in the government of Naples, or any other arbitrary government. The particular sect alluded to was not of recent origin. Its existence, under the name of the Carbonari, might be traced in Italy up to the time of the emperor Leopold. The Carbonari received the particular protection of those who looked for their assistance in emancipating Italy from the power of France. Their encouragement was then considered a most effectual means of gaining that object; and yet the share this sect had had in the late revolution of Naples was put forward by Austria as a ground of condemnation notwithstanding that power had formerly sought the support of the Carbonari. But the Carbonari were not only called a political sect, but were accused of working in the dark. This charge was very extraordinary when it was considered that the accused sect was stated to be existing in a country in which the public manifestation of its wishes could not fail to draw down upon it all the vengeance of the government. Did the persons who defended the conduct of Austria mean to say that the Carbonari ought to have posted up on the church-doors a notice, stating, that on such a day they were to begin the revolution, and giving warning, as in legal matters, for the other parties, the courts of Austria, Berlin, and Petersburgh, to come and oppose them? Was it not obvious that any change of an arbitrary government could only be effected by that sort of art which seemed to be in the eyes of the allied powers, the whole *corpus delicti* of which they complained. The declaration proceeds to describe the late government of Naples as full of paternal kindness, and infers that that amiable character, and the endeavours to introduce into all branches of the administration essential improvements, had had the effect of putting a stop for a time to the designs of the Carbonari. The reason, however, why all the efforts of the Carbonari in concert with the people were unsuccessful was, not that stated in the declaration, but the presence of the Austrian army. It was neither the improvement nor the deterioration of the branches of administration that suspended the efforts of the Carbonari. There was one branch of administration, the improvement of which he knew, from good authority, to have been neglected. There had been no remission of taxes. There was besides, in that country no enjoyment of personal security, no protection for property. He could speak with the most perfect confidence on this subject. One instance he would state to their lordships. About four or five years ago there was a scarcity amounting almost to famine in Naples, and at that time one of the ministers held a share in a monopoly of corn. At that time a British general officer was applied to, on the part of an individual, to use his interest to procure his release from prison. The officer found him confined in a dungeon half full of water. The unfortunate man stated that he was not conscious of having committed any crime, and that he was not informed of any charge having been made against him. The only thing he could recollect was, that he had some conversation about the disposal of corn, and that the transaction had reference to the concerns of the minister, for he had a share in the monopoly. The British officer went immediately to the minister, but he denied any knowledge of the imprisonment. The officer returned to the prison, where the gaoler told him that the man was confined by the express order of the minister. He then went again to the minister, to whom he could not on this second occasion obtain access; but he was told by the secretary, that the imprisonment of the man had been ordered because it was understood that the minister might wish to speak to him. The prisoner was finally set at liberty, and owed his release to the interference of this English general officer, whose name he could mention were it necessary. Was this a state of things which did not require a change? Or was it one which foreign powers were entitled to describe as the result of the care of a paternal government? But the declaration stated that the new constitution had been imposed on the king. Now the king appeared to have given it his voluntary consent, and no effort had been made to compel him. But then it was objected to, because it was the Spanish constitution. He was not going to undertake the defence of the Spanish constitution; but that there was any thing extraordinary, connected as Naples was with Spain, in the preference given to the Spanish constitution, he must deny. Being under the necessity of adopting some new plan of government, was it not likely that the example of persons professing the same religion, and living under a monarch of the same family as the sovereign of Naples, would be followed? And here be it recollected, that the British constitution, which it was said some of the allies wished to be preferred to that of Spain, was one which the king of Naples had some years before rejected, after it had been, under the auspices of this country, established in another part of his dominions. There was another circumstance which ought not to be forgotten. Their lordships might remember that lord W. Bentinck had, in 1814, addressed proclamations to all Italy, in which he called upon the people to rise and assert their rights. These proclamations, issued on the part of the British government, were signed by lord W. Bentinck, and certainly no name was calculated to give them better authority and effect. The conclusion of the proclamation ran thus—"Warriors of Italy, you are only asked to come forward to assert your own rights and liberties. When you shall have joined our forces, then Italy may become what in her best time she was, and what Spain is now." Here was a direct recommendation to follow the example of Spain. In the same proclamation it was observed that Portugal, Spain, Sicily, and Holland, could attest the liberality of Great Britain. It was farther stated, "that Spain had succeeded in her great undertaking;" meaning that very constitution which Spain had framed, which Naples had been desired to imitate, and was now condemned for adopting. It might be said, that this was only done to rouse Italy; and he had heard of something being said somewhere of the absurdity of continuing for ever married to a promise. A breach of promise would not, however, be vindicated; and with regard to Austria, the world would not forget, that the proclamation of lord W. Bentinck was issued at a time when Austria was co-operating with the British forces in Italy. Austria, who now thought the Spanish constitution so unsafe, was in fact a party to this proclamation; though not a principal, she was an acceding party. The principle of the proclamation was, besides, in perfect conformity with that of the treaty which Austria in the month of March preceding had, in concert with the British government and the other powers, signed at Chaumont, and which it was declared that the whole object of the allied powers was to support. Support what? Not the rights of sovereigns, but the liberties of nations. The noble lords opposite cheer at this, but where do they now hear any thing of liberty or the rights of the people, either in proclamations or treaties? No, the word liberty is carefully excluded from the vocabulary of the allies. But it was these proclamations and promises which called for the exertions of the people of the continent; and the allies sitting at Troppau had no right now to condemn that freedom which they had at Chaumont pledged themselves to support. The reasons assigned for these distressing contentions might indeed be summed up as follows:—Although the Austrian government fully respects the independent rights of nations, with which they do not in any respect wish to interfere, yet still they hold that the recent conduct of Naples now justifies their interference. That is, in other words, that there are certain circumstances which in their eyes do justify an interference with the rights of other nations; and that these circumstances are—whenever sects in a state shall privately assist in promoting a revolution, or a change in the government; whenever an army shall assist in such a revolution or a change; whenever private meetings shall be held to assist in such a work; and where there was a party in the country so revolutionized, which was hostile to that revolution, and where the tranquillity and silence with which the change in the government was effected, show the existence of that party. —These then, were the reasons which Austria had set up to justify her aggression upon the existing government of Naples. It was true, indeed, that they were preceded by an avowal of not interfering with the independent rights of nations, implying that a revolution in an independent state might be permitted where these disqualifying reasons did not exist. Really, this abstract proposition of the disqualifications which were to restrict the rights of independent states, was like the abstract idea which had been, to ridicule false philosophy, set up as exemplifying corporeal agency. It strongly reminded him of the famous dialogue between Martinus Scriblerus and his fellow pupil Crambo, in their exercises in the study of logic. The discussion was about an abstract idea of a lord mayor. Martinus sets out with saying that many things are necessary to make up the abstract idea of a lord mayor, but that, according to his idea of such a personage, there must be a wig and gown. Crambo cannot allow that, nor can he reconcile with his idea of a lord mayor, any thing which shall have eyes, hands, mouth, or legs. Just so it was with Austria, in the abstract idea set up by that government of what did and what did not justify an independent state in changing its government. It admitted fully the right to make the change, but then it must not be made by a sect, it must not be made by an army, it must not be made by private meetings, it must not be made while a party in the state opposes that change. If it be done without any of these means, then, said Austria, it amounts to my abstract idea of a justified revolution. What then, he would ask, are the means by which the confederate sovereigns declare they can tolerate a revolution or a change? Can such a change be only tolerated when done by the will of a monarch? Shall that royal will alone constitute a legal change? Such appears to be the opinion of Austria. Now? what are the changes which these sovereigns will allow the king of an independent state to make? When Ferdinand overturned a constitution to which he was a party, Austria did not interfere. What, then, is to be the colour or complexion of the change which these potentates mean to acknowledge? Will they silently see a state replaced in slavery and thraldom, if such be the will of a monarch; and are the subjects of an independent state to be for ever debarred from political regeneration—unless it be the will of a sovereign that they shall be free?—He came now to the second part of his consideration, which was the effect that must attend these proceedings, either in the failure or the success of Austria. If she fail in her attempt upon the present government of Naples, the principles of liberty upon which the Neapolitans have lately acted will acquire additional force: in that event, if Naples have the power she might exercise the right of retaliation. If, however, that contingency should arise which he anticipated, and Austria should succeed in her attack, by what means was the Austrian authority at Naples to be maintained? Whether the Neapolitans ultimately accede to the terms held out by Austria, or, resisting them, still continue a sullen opposition when overpowered by open force at the onset, in either event Austria must fortify her authority by the power of her troops. See, then, what must be the attitude of Austria in Europe. Her possessions will extend on the one side considerably south of the Po to Venice, and she will have fortified herself on the other in Naples. Was this new state of things likely to be permanent? Was it likely to tend to the tranquillity of the world? Was it probable that a new order of things, never attempted to be established before, could now be reared and permanently established? If such a state of things in Europe had heretofore been attempted, would Holland have obtained what she had achieved? Would Switzerland? Would the United States? Would Spain or Portugal? They never could have changed their situations had the principles of this alliance of sovereigns been heretofore promulgated. It were in vain to hope that such principles could be now established in the political state of Europe. How was it possible, in the present advanced state of political knowledge, that principles like these could have a permanent acquiescence? Was there any probability that a system which attempted to place a barrier to the growth of human intelligence, and to circumscribe it within bounds which were never before laid down, could possibly succeed? Such a system if it for a moment were forced upon a people by superior strength, could only obtain a transitory duration; and must ultimately fall to the ground and bring down disgrace and discomfiture upon its authors and undertakers. Recently as this new and dangerous system had been agitated, its effects were already apparent. In Spain, it had given activity to the republican spirit which was growing up in that country to an extent that never before was thought of, and which, in its consequences, was likely to introduce agitation into the progress of a revolution, that otherwise would have been tranquilly conducted to its close. In France, were not its effects also sensibly felt? Were not the hopes of a party actually excited there; a party sometimes called by the name of Liberales, and at other times Jacobins? It was against such a system that England had repeatedly acted both in ancient and modern times, so late as at the breaking out of the war when Buonaparté was first consul. In front of the battle which England was about to wage, was placed the unjustifiable attack made by France upon the right of Switzerland to choose her own government. At that time reasons were not wanting for France to have said of Switzerland as Austria now did of Naples, that her proceedings were calculated to inflame contiguous states. But no such plea was thought of by England; the act of France was justly complained of, because it was an act inconsistent with the independence of nations. and particularly in that most essential part, the right of a free people to choose their own form of government. In former times Great Britain had acquired deserved glory by the policy she adopted, as the fosterer of every nascent spark of liberty which was struck out of any of the nations in the world. The moment that spark arose, it was considered by England, as an acquisition to be cherished, not extinguished. The greatest man who had ever written upon the policy of an empire, or who had enlightened any age by his wisdom, the great lord Bacon, when justly praising the principles that governed the counsels of queen Elizabeth in her intercourse with foreign states, after reviewing the various merits which he justly ascribed to that policy, fixed for the highest theme of his panegyric upon that part of Elizabeth's conduct, where, to use his own words, "she cultivated and encouraged the liberties of other nations on the continent of Europe." Lord Bacon, also instances "her support of the low countries, a people recommended to her by their counsels so liberal, and their fortunes so happy." The circumstances in the late change at Naples which had armed Austria against the people were, that the revolution had been effected by a sect, aided by the revolt of an army. Exactly in the same way had the revolution in the Netherlands been conducted, and yet no objection was then made to the form of the proceeding. There ought to be no such objection. That jealousy was too fastidious, which found fault with a revolution prepared and consummated by the mode best adapted to the general means of the people. Rather than cavil in this manner at the steps pursued by a struggling people to obtain independent rights, they ought apply to their efforts the maxim applied in another case by one of the greatest statesmen and orators who had ever adorned that House lord Chatham. That great man, when speaking of America, then struggling against oppression, implored that, when reviewing the acts of their colonies, they would—

"Be to their faults a little blind,
Be to their virtues very kind,
And clap the padlock on the mind."

These lines were equally applicable to the course which it became a nation like England to pursue to a state like Naples. He knew it had been said, that all interference would be now useless; that the die was cast, and it was now too late to interfere in the hope of promoting any practical good. He was not of that opinion; he did not despair, even now, if England properly interposed. But even were he satisfied that the people of Naples were over-run by their assailants, and every foot of land there in the firm occupation of German soldiers, still he should say it was not too late for that House to disclaim the principle upon which the congress at Troppau were now acting, and to save Europe from the eventual calamities which such a principle was but too well calculated to produce. The parliament of a country like England was bound at such a crisis to put on record its solemn disclaimer of the act in which Austria was engaged, and of the principle which governed the counsels at Troppau and Laybach from which that act had emanated. It was to enable England to set herself right with the world that he meant to submit for their lordships' adoption the following address:

"To thank his majesty for having been graciously pleased to lay before this House a copy of the despatch to his majesty's missions at foreign courts, on the circular communication addressed by the courts of Austria, Prussia, and Russia, to their several missions, relating to the recent transactions in the kingdom of Naples: to express the satisfaction which we feel that his majesty has declined becoming a party to the measure in question, considering them to be no less repugnant to the fundamental principles of the British constitution, than destructive of the established law of nations: and to express an earnest hope that his majesty will exert all his influence with the allied powers, if not too late, to prevent or to repair the consequences of measures which may eventually disturb the general tranquillity of Europe; and which, especially when considered in combination with the doctrines that have been advanced in their justification, are of most dangerous example to the independence of sovereigns and the security of nations."

Earl *Bathurst* said, that the whole argument of the noble marquis went to show, that Great Britain ought not to adopt a system of neutrality between the contending parties. In other words, that England ought at once to abandon the system which she had avowed to the parties, and upon which she had professed her fixed determination to adhere. The course which this government had laid down for its guidance during the pending struggle was plain, and its meaning perfectly well understood The proposed address was quite of a different character: its policy was neither plain nor intelligible; for while it called upon this country to abandon its declared neutrality, it laid down no other system to govern its future conduct towards the allied powers. The first question which they had then to determine was, whether or not they ought to abandon their present system of neutrality? Suppose they did abandon it, what other course would the noble marquis recommend for their adoption? Suppose the revolution which led to the agitation of this question had appeared to England to be such as to endanger her interests in another quarter of the globe, but that the emperors of Russia and Austria should say, "we see no manner of danger in this revolution, and we forbid you to interfere in its progress."—would not England reply, "If you do not see any danger to your interests, you are certainly not called upon to interfere; but if we see danger, we are justified on the broad principle of self-defence." And upon that principle they would certainly have a right to interfere. What was the case in Naples? A revolution had been established, to which a large portion of the people were no party. He did not mean to canvass the conduct of Austria in interfering, for he had not sufficient information upon that subject before him. All he was anxious to show was, that England had taken the proper course in observing a strict neutrality. The noble earl then pronounced a panegyric upon the character of the king of Naples, and the estimation in which he was held by the Neapolitans; and added that, notwithstanding this loyalty, so great was the power of the party who had conducted the revolution, that they refused to allow the king eight days to prepare a constitution. Sicily took no part in this revolution, and was only compelled to submit to it by fraud and violence. So that, if Great Britain, as had been recommended, had received M. Cimittelli as the ambassador from Naples, she must be considered as sanctioning the application of the epithet of rebels to the Sicilians, who resisted the introduction of the new state of things among them. The whole of the recent arrangements had been managed at Naples by the Carbonari, whose aim was not a reformation of the Neapolitan government, but to promote general insurrection throughout Italy; their object was not a settled government, but an unsettled one, by which they might profit in the confusion. Was there any thing, then, in the character of the parties, engaged in this revolution to entitle them to the support of England. The noble marquis had severely animadverted upon the Austrian manifesto. But it should be recollected, that Austria grounded the necessity of her present interference with Naples, upon the dangers to which her contiguous states were exposed by the recent events, This would not be all. Supposing the knowledge of the presentation of this address to his majesty to reach Naples, whilst the Austrian army was on its march, it would have the effect of prolonging the contest, by inspiring new hopes in the breasts of the Neapolitans; and thus many would, on the advance of the Austrians, retreat to the hills, instead of acceding to the proposition of the allied sovereigns, and casting their eyes towards the ocean, in expectation of succours from England, would at last fall victims to their own credulity. To prevent the occurrence of these and similar misfortunes, he felt himself bound to oppose the address.

Lord *Ellenborough* said, that his noble friend's objection applied merely to the latter part of the address. The first part stated the satisfaction felt by the House, that his majesty had declined becoming a party to measures of which ministers had expressed their disapprobation. If ministers were right in expressing their disapprobation of the principles of the allies; it could not be wrong for their lordships to record their approbation of the conduct of ministers. He thought such a proceeding necessary, because it would give weight and authority to the remonstrance of the British government. The address did not go to recommend a war with Austria. It called upon ministers to do that, which, if they declined to do, they would deserve to be impeached, namely—to endeavour, by all the means in their power, to prevent the consequence of a movement on the part of the allies which might eventually disturb the tranquillity of Europe. If his noble friend would look at the situation of Austria; if he would recollect that she stood insulated among powers hostile to her, both from position and from prejudice; if he would consider that her defence rested on her moveable mass of military force, drawn indeed from the subjects of her hereditary dominions, but paid by the treasures wrung from her Italian and Polish provinces; he would see that no movement could be more false or more fatal than that which Austria had just made upon Naples. Considering that movement by itself, and without any connexion with other circumstances, he would say that it was one which, in the relative situation in which Austria and England were placed, it was the imperious duty of ministers to arrest. Looking, however, at the present state of Italy; taking a full view of the change which had been effected in the manners, habits, and feelings of its inhabitants whilst under French domination; recollecting that French domination, whatever mischiefs it had inflicted, had united into one great state the small principalities into which it had been previously severed, and, by so doing had eradicated the prejudices which the inhabitants of them had felt against each other; remembering that the French had changed the effeminate Italian into the hardy soldier, and had inspired him with ideas of glory that would not have disgraced his remote progenitors; remembering that they had given thought and mind to the people of Italy upon all political questions, that they had imposed upon them a new system of laws which had been destroyed in all parts of it since the restoration of the old governments, and that the annulling of that part of it which enacted the equal partition of a man's property among his children at his decease, had rendered the younger sons of every family foes to the existing establishments; not forgetting that no man was allowed to be in power or property, who had held office in any part of the twenty-five years during which the French had been in possession of that country; reflecting, in addition to that, that the provinces which had received great commercial advantages by their union had lost them all, by being split again into several small states—that in those small states all the bigoted prejudices of Custom-houses and imposts had been regularly renewed, and that industry had thus been completely paralyzed—considering all these circumstances with the mind of a statesman, he must say, that a more imprudent, impolitic and dangerous measure, could not have been adopted by Austria than the invasion of Naples. He thought as poorly as any noble lord of the Neapolitan troops; neither did he expect that they would be successful in resisting the Austrians; but could any man who recollected what had occurred in Spain expect that an Austrian army would remain secure in that country? Supposing it, however, to remain secure, would the occupation of Naples for five or six years, as was proposed in the Austrian manifesto, be a circumstance calculated to promote the peace of Europe? What would be the effect of it in France? Could there be a more dangerous spectacle held up to the French people, or one more calculated to urge them to successful rebellion, and to seek revenge for past disgrace than this? To support Austria in such measures, therefore, would be to support her against every noble and generous principle. In the last war our character had been our strength: by that we had rendered our alliance an object of desire to every state in Europe: by that, and by that alone, we had conquered. What would be our situation, however, now? Looking, as he did, at the situation of the country, still he must say, that under no circumstances should he be afraid of a war undertaken with the concurrence of the people: but he should view with the utmost despair the commencement of a war, in which the feelings of the people of England were against the counsels of the government, and the hearts of foreign nations not with them.—His noble friend had said, that to adopt this address would be to advise a change of the whole foreign policy of the country. He denied the truth of the position. All that was proposed in the address was, that such measures should be taken as would prevent any evil consequences arising from the movement on Naples; that was, ministers were called upon to take a large and liberal view of the affairs of Italy, were desired to use their influence and the influence of their country in counteracting those measures which all men viewed with apprehension, and were implored to preserve peace under all the circumstances that can render peace valuable. When his noble friend asked him, whether he supposed that the Austrian army would withdraw upon our making a remonstrance, he felt no hesitation in answering that it would not: but it was evident that circumstances must soon arise, in which the interposition of England would be as earnestly desired by the Austrians as by the Neapolitans, and that in consequence of our connexion with Sicily. He could not forget that connexion; nor the circumstances under which a constitution had been established in that island; nor the pledge which we had given to its inhabitants on leaving it. We had promised them that they should not be left in a worse situation than that in which we found them. And yet the king of Naples, who had no more right to unite Naples and Sicily than the king of England had to unite England and Hanover, had annulled the constitution we had guaranteed, and which he had himself sworn to observe; had annulled the constitution which existed previously to that, and which he had sworn by his viceroy to preserve inviolate; had, in violation of both constitutions, united Sicily to Naples. Not only the pledge which we had given, and which we ought to have redeemed in 1816, but the combined interests of Austria and England called upon us to declare, and to support that declaration by arms, if necessary, that no constitution should be established in Sicily to which the Sicilians had not consented in their ancient parliaments. That constitution had been violated by the present government, as well as by the king, and we therefore ought not to decline advocating the cause of injured Sicily. He knew, from his own personal observation, the attachment of the Sicilians to England; it had originated in the hour of common danger, and had been cemented in the field of victory. Would they not then have a powerful means of negotiating with Austria and Naples, when they had Sicily at their back? But they would have a greater advantage than this. If the sect of the Carbonari was so dangerous as was represented, and they wished to put it down effectually—how could their purpose be better accomplished than by taking from them a part of the people among whom they disseminated their principles? By agreeing to the address, they would show themselves alive to the true interests of Italy, of England, and the rest of Europe; they would show that, notwithstanding the present dangers which surrounded this great question, they had dared to take a statesman-like view of its most remote and distant dangers: they would show that they had determined to support ministers in giving full effect to any negotiation which they might institute for the preservation of tranquillity; and by so doing they would confer credit on their country and themselves.

The Earl of *Westmoreland* said, that notwithstanding the temporary distress under which this country was labouring, he had no doubt of its possessing abundant resources for any war in which justice or honour might require it to engage; but, in the present instance, he contended, that both justice and policy demanded that we should maintain a strict neutrality. He denied, both on the general principle, and with reference to the particular instance of Naples, that we had any right to interfere in such a case as the present; and, with respect to the address proposed by the noble marquis, it would be altogether inefficient and nugatory, unless accompanied by an address to his majesty to prepare an armament to enforce it.

The Earl of *Darnley* maintained, that his noble friend's proposition was in no way calculated to break in upon the neutrality which his majesty's government were disposed to preserve. But he thought it due from that House to make a declaration on the subject, conformably to the principles of their ancestors. England was peculiarly entitled to remonstrate against the recent movements of Austria. For how did Austria pay her army? With English money. To this country she was indebted at least seventeen millions.

Lord *Calthorpe* supported the motion, on the ground that it was highly important there should be no possible misunderstanding of the opinion of this country on a subject in which the rights and liberties of an independent people were so deeply involved. We owed it to Austria herself, to exert over her all the moral influence that we possessed, and to show her how full of danger her present course was, even if it should prove successful; and how destructive, if the result should be disastrous. In the latter case, how would the Austrian government, with a diminished army, an exhausted treasury, and a dishonoured name, be able to meet the demands made upon it by its own people, who might perhaps require a constitution less monarchical even than that which they were now endeavouring to destroy?

The Earl of *Aberdeen* deprecated the adoption of the address, in the absence of all satisfactory information, with respect to the real state of the case between Austria and Naples. For his own part, he was not ashamed to confess, that he placed great confidence in the good faith of the declaration which had been issued by the allied sovereigns. This confidence was confirmed by the former conduct of Austria, who, when put in possession of the fortified places of Naples, evacuated them, even before the period prescribed by the treaty which put them into her hands. In saying this, however, he begged to be by no means understood as expressing any approbation of the principle of what was called the Holy Alliance. Although he sincerely believed, that the motives of the sovereigns by whom it was formed were pure, yet it was a system liable to so much abuse, that he could not too strongly reprobate it. At the same time, he was convinced that the present invasion of Naples was not considered in a just light by those who attributed it to the Holy Alliance. This was not candid. The interests of Austria were alone concerned in the affair. Unquestionably no man could contemplate the attempt of a military despotism to beat down the infant independence of any state without emotion. In a contest between a strong and a weak power, a generous mind naturally sympathised with the latter. There was also something extremely captivating in the very name of liberty. But it was not absolutely necessary that the weaker power, in any contest, must therefore have justice on its side. It was not absolutely necessary that what was called liberty must therefore really be so. With respect to the conduct of Austria towards Naples, he was not prepared positively to pronounce that that conduct was justifiable; neither did the transactions which had occurred at Naples warrant any one in pronouncing that the conduct of Austria was unjustifiable. The revolution in Naples was incontestably the work of the Carbonari. The principles of that sect were not confined to the assertion of constitutional liberty in opposition to despotic government, but directly aimed at the destruction of every standing government. No doubt could be entertained of the despotic influence of that sect over the parliament at Naples, and that there was not a single movement of the government now existing there, which was not controlled by that irresponsible sect. It would be premature in this country to interfere between Austria and Naples, until it was shown that the former had not a justifiable cause for the conduct she had adopted towards the latter.

Lord *Holland* said, that the noble earl who spoke second in the debate, had objected, that the motion of the noble marquis was indistinct and unintelligible, whereas it appeared to him that the noble earl had himself misunderstood that which was distinct, and misrepresented that which was intelligible. The noble earl commenced by observing, that the noble mover had mistaken the manifesto of the allied sovereigns; and to prove this, he referred to the circular note of lord Castlereagh, and not to the manifesto itself. His noble friend, in consequence of the language and conduct of Austria, called upon the House to vindicate the honour of the country; he did not then enter into the question, whether such a vindication of our honour was likely to end in hostilities or not. And why was this done? Because the allied powers—because Austria itself—had misrepresented to the world the principles upon which this government acted, or at least professed to act. It was said in the declaration of the allied sovereigns, that Great Britain fully coincided in the general principle upon which they acted, but that considerations of state prevented that power from co-operating with them in the prosecution of their plans. This appeared upon the face of that monstrous, disgusting, and hypocritical paper which had been put forth by the amiable and pacific congress of Laybach. The noble lords on the other side said, that the interference with the affairs of Naples was in support of the cause of Austria: but Austria said no—that their sole object was, the peace and safety of the whole of Europe, which were threatened by those proceedings. The noble lord, after quoting some passages from the declaration of the allied sovereigns, asked the noble lord opposite (Liverpool), to stand up and say whether his majesty's ministers coincided in the principles and feelings by which the allied sovereigns were actuated? The noble earl who had just sat down said he believed Austria to be sincere in her professions. Did the noble earl, or did his majesty's ministers believe her sincere, when she, in that odious and disgusting document, declared the government of this country to coincide in the views and principles upon which the allied sovereigns acted, but that we were prevented by proper and weighty considerations, from taking an active part on the occasion?—He would shortly inform them what those considerations were; but before he did so, he must call upon them to mark the nature of this transaction. Five powers had confederated together for the express purpose of guaranteeing every government, good or bad, against the resentment of the people. Certain events occurred in Spain, and up started Russia calling upon the confederates to take part against the Spanish people. What the answer of this government was to that application he did not know; but it was evidently of such a nature as to stop all proceedings against Spain. Next came the case of Naples; and then proper and weighty considerations prevent the only two countries where the force of popular opinion was felt, from acceding to the principles of the alliance. He would tell the House what those proper and weighty considerations were: they were the House of Commons and the people of England; they were the Deputies and Chamber of Peers in France; they were the press of England and, he wished he could add, the press of France. These, and these alone, were the obstacles to the diabolical attack meditated by the allied powers on the general freedom and independence of nations. When the noble earl said that the object of the address was, to assist Naples, he would reply, that it was to assert the national honor, by vindicating the national neutrality; for there were in the acts of the British government, and in the writings of that part of the press which was more particularly under its control, strong reasons for believing that our neutrality was not a positive one, but a leaning towards Austria. For instance, one of the objections made to the present motion was, that it was calculated to excite the Neapolitans to resist the Austrians; but, at the same time that the ministers made this objection, they sent to Austria, upon the first hearing of the Neapolitan revolution, a disapprobation of the means by which it was effected. Was that no encouragement to Austria? If neutrality was the object of our government, then they should repel the insinuation that they were a party to the contract of the allied sovereigns. Such an insinuation was not only an insult to this country, but enabled the oppressors of Naples the better to carry their plans into execution. Another instance of neutrality was to be found in the conduct of the papal government. The pope's nuncio at Laybach declared, that the holy father had determined to maintain a neutrality similar to that of the English government. Now, was this neutrality maintained? The holy father had "caused strict orders to be given that the foreign regular troops, on entering and passing through the pontifical dominions, shall be regarded as friends, and not opposed in their passage, but that any of the evil-disposed class who may dare to violate the pontifical territory, shall be vigorously resisted; and for this purpose his holiness had ordered the fortresses of his dominions to be put in a state of defence." He did not mean now to say whether the pope had done right or wrong in this, but when he professed to act upon the English neutrality, there appeared little doubt that he understood what the nature of that neutrality was to be. The House would see that we were acting the Comedy of Errors from beginning to end. It was, in fact, impossible clearly to understand the situation in which we stood. The noble earl opposite had objected that his noble friend had mistaken the subject. Now one thing was clear. According to the noble earl's statement—either Austria had misunderstood the government of this country, or else she had publicly stated that which she knew to be false with respect to our intentions [Hear, hear!]. He defied the noble earl to get out of this dilemma. A noble earl had stated, that he believed Austria to be sincere. He knew not in what part of the history of the continent the noble lord could find matter on which to ground such an opinion; but, to be sure, there was no accounting for men's belief. That noble earl went on to say, that the natural feelings of all men were favourable to Naples. If this were so, he could only say, that the noble lords over the way had got their artificial feelings wound up to a very high pitch in favour of Austria and against Naples. What was their boasted neutrality—what were the whole of the speeches against this and a former motion—but apologies for Austria and condemnations for Naples? Austria said, and it appeared truly, that the heart and soul of the English government were with the allied powers, though they were prevented by circumstances from co-operating openly with them. The noble lord who spoke early in the debate had spoken out; he did not, it was true, say that Austria was in the right, but he took care to say that the other party was in the wrong. Then came the old story of a revolution brought about by the army, and of the operations of the Carbonari. A noble lord had said, that the Carbonari were bound by an oath not to obey God or man. Now, with all due deference to that noble lord, he presumed he did not belong to the Carbonari, and therefore they could not have revealed their oath to him. But, where did these Carbonari originate? They were set at work and their operations fomented by the British govenment for the purpose of stirring up the Italians to make war against France, and were used as instruments to drive the French out of Italy. This brought him to another part of the question. It was objected against the Neapolitans, that they had adopted the Spanish constitution, and yet that there were not five persons in Naples who had read that constitution. He had seen more than five Neapolitans who had read and who understood the Spanish constitution; so that he himself was a witness in contradiction to that assertion. The noble lord here read to the House an extract from lord William Bentinck's proclamation to the Italians in 1814, in which he pointed out the great work performed by the Spaniards, in driving the French out of their territories, and thus establishing their liberty. But how did they establish their liberties? By adopting that constitution which was now sought for by the Neapolitans, and which was charged against them as a crime? Was it to be wondered that the Neapolitans should wish to establish a free constitution? Was it to be wondered at that they should wish for the enjoyment of liberty? It was engraven on their monuments—it was written in their books and in their hearts, and could not be effaced from their memories. "*Aliis occasio, aliis animus, nemini voluntas deficit.*" But we who fomented their wishes, who encouraged their hopes, who favoured their exertions, were we, when those hopes were about to be realised, to dash them at once to the ground? It was hard, very hard, that we, who had taught them to believe us their friends, should at such a crisis not only desert, but oppress them. It was argued against the Neapolitans, that they had refused their king eight days within which to form a constitution. Now, he considered such a period much too long; for if such events were not brought about quickly, they could not be brought about at all. By the Spanish constitution, the succession of the king of Naples to the crown of Spain was acknowledged. The king of Naples had congratulated his cousin the king of Spain, on the establishment of the constitution. What then were the Neapolitans to do? They saw a constitution fostered by England, approved of by their king, and from which every advantage was to be derived—was there any thing more natural than that they should say, "We cannot do better than adopt this constitution." But what was the objection to this? It was urged that the Spanish constitution was foreign, and not suited to the Neapolitans. It came with an ill grace from Austria, after having opposed the introduction of the Spanish constitution into Naples, to propose for their adoption the constitution of England. As if those Neapolitans, who were unable to translate the Spanish constitution into Italian, should be all at once fully conversant with Blackstone, and the other great law authorities of this country! Suppose for a moment that the Neapolitans were about to adopt the English constitution, and were to write over to this country to make the necessary inquiries as to its nature; suppose that they, in the first instance, applied to the learned lord on the woolsack, for a definition of the British constitution. Why, the very first observation of the learned lord would be, that the British constitution was "essentially Protestant" [A laugh]. It certainly would move any one to laugh, to hear such coxcombs talk of establishing a constitution, were it not for the reflection that those coxcombs were backed with bayonets to enforce any doctrine, however absurd or ridiculous. A noble lord said, he believed the allied sovereigns sincere. He (lord Holland) could scarcely imagine how their proceedings could be argued upon with temper or moderation. After reading an extract from the declaration, in which the allied powers declared their only object to be "the preservation of peace and tranquillity in interior states," he observed, that if any thing could add to the atrocity of such conduct, it was the detestable hypocrisy under which it was masked. They the lovers of peace and tranquillity! Why then did they keep up so large a military establishment? They came forward and talked of tranquillity and peace, who sent hordes of barbarians from the remotest quarter of Europe to spread war and desolation over its fairest portion! "Et nomen pacis dulce est, et ipsa res salutaris; sed inter pacem et servitutem plurimum interest. Pax est tranquilla libertas; servitus malorum omnium postremum, non modo bello, sed morte etiam repellendum." These were the sentiments of a great man, and he hoped and trusted that similar sentiments would inspire the people of Naples with that courage which alone could preserve their freedom. He rejoiced to say, that the eloquent language of the noble baron near him (Ellenborough) had raised in his mind some faint hope that they would be able to defend themselves with success. He confessed that he felt warm on this occasion, and that it ruffled his temper to see a smile on the countenances of noble lords, when he and his noble friends spoke of inquiry on these subjects; for it induced him to think, that there were persons who wished in their hearts that Naples might not succeed in her opposition to the invasion by Austria. He rejoiced to think that the history of the modern world recorded examples of successful resistance, under circumstances which rendered resistance as hopeless. Switzerland had successfully resisted. Holland had successfully resisted. So had America and Spain; and he hoped that Naples too would succeed. It was with great satisfaction he had heard the noble baron say, that even if the invasion by Austria should, in the first instance be successful, still Naples might be ultimately triumphant. He begged leave to add one word on the subject of war. It had been said, that those who talked of the distress of the country were now the advocates for involving it in a war, which must necessarily increase that distress; but he affirmed, on the contrary, that a compliance with the present motion was the most likely way to avoid a war. If there was one individual in that House who abhorred war more than another, it was the person who now had the honour of addressing them: he believed there had only been one war since the accession of the Brunswick family, of which he approved. But, deeply rooted as was his abhorrence of war, he would never say that the state of the country, or the embarrassment of our finances, was a reason for abstaining from it when it was necessary for the honour of the nation. The question, however, was not at present one of peace or war, but whether government were not called on to state the reasons of their conduct, which had been misrepresented by Austria. If such an explanation should lead to a war, he would lament the circumstances; but, from the fear of such an event he would not abstain from vindicating the honour of the country.

The Earl of *Liverpool* said, that a great part of the noble lord's speech had been occupied with eloquent declamation against the interference of the allied powers with Naples; and he could not help remarking, that when they had seen other independent states attacked in a similar manner, they had heard no eloquent declamation from the noble lords opposite. The noble lords on those occasions had, on the contrary inculcated the necessity of peace, and the impolicy of interfering. The only exception was, in the case of the invasion of Spain, against which his noble friend opposite had certainly expressed an opinion. The present motion he believed to be without precedent. The constitution invested the Crown with the power of making war or peace, and of negotiating with other states. The right of parliament to refuse the supplies, he believed to be equal to the right of the Crown to declare war; and he was not prepared to deny that parliament might advise the king to resort to war. It was an admonition improperly applied, and if fit to be applied, improperly expressed. There were two modes in which a great nation could interfere. Its influence might be exercised in private by its accredited agents; but, when its sentiments were recorded by a public declaration, they must make up their minds to enforce their declaration by arms, if it should be disregarded. If there was any doubt, whether this motion was a motion of war, the speech of his noble friend had removed all doubt. The noble baron avowed that he looked to war; he hoped, perhaps, that war might not be necessary; the noble baron should have credit for those hopes, but war was one alternative on which he relied. But if this was the sentiment of the supporters of the motion, they should say so distinctly, and give advice to the king accordingly. The question which the House really had to consider was divided into two branches:—1. Whether in the present situation of Europe, neutrality was the desirable policy for England? and 2. Whether the present conduct of this government was fair neutrality? He agreed with the noble baron, that, however desirable peace might be to this country, as its general policy or at this particular time, there was no time when this country should not dare to undertake a war which was necessary for its safety or honour. But however abundant the resources of the country might be, he saw in the circumstances of Europe, in the declaration of the allies, in the speeches of the noble lord, ample reasons for saying that neutrality was the true policy of this country. As to the general principles laid down in the declaration of the allies, no one regretted them more than he did. No one, who looked at the affairs of Europe dispassionately could avoid seeing that there were two conflicting principles in the world. Never did Russia, Austria, and Prussia do a more ill-advised act, than when they put forth that declaration. Till then it might be doubted whether there were two extreme principles in action. But that declaration fully set forth one extreme principle, the disposition to crush all revolutions, without reference to time, to circumstances, to causes, or to the situation of the nations in which they arose. The other extreme principle, which he was sorry to see manifested in the noble lords opposite was to uphold all revolutions, not looking to their causes or justifications. Revolutions seemed to them to be certain good—the name cheered up their hearts. Let their lordships look, then, to the constitution of Great Britain, which they boasted to be as far removed from despotism on the one hand, as from wild revolutionary principles on the other. They would see that the policy which the constitution demanded between two such principles was neutrality. Neutrality was our policy; neutrality would command the respect of all the nations, and of all the temperate and moral men of Europe. But were we in a state of fair neutrality? The noble lord had referred to the manifesto of Austria. If the manifesto bore the sense attributed to it by the noble lord, it stated that which was not correct, but he did not think the manifesto could fairly bear the interpretation which the noble lord had put upon it. He was convinced that by "the allied powers" were meant Russia, Austria, and Prussia, and that Great Britain was not alluded to. These were in fact the only parties assembled at Troppau; For though we had a representative at that place, he was no party either to the conferences or to the protocols. He came now to the second question. Was this country in a fair state of neutrality? If he was not misinformed, his majesty's minister residing at Naples had made a declaration of the neutrality of this country, which had been deemed perfectly satisfactory by the Neapolitans, and had removed all doubt whatever respecting the disposition of Great Britain. He had further the satisfaction of knowing the sentiments entertained throughout Europe of the paper now upon their lordships table. He knew that all the states on the continent were gratified by it, and were convinced, from the principles it contained, of the neutrality of this country. He was convinced that Ferdinand of Spain had provoked the revolution in that country, but he had no case before him to show that the king of Naples had done the same. At the same time he wished to give no opinion whether circumstances might not exist to justify the revolution which had taken place at Naples. The opinion of the noble lords opposite seemed to be, that this country ought to interfere with every great event that occurred in Europe: but what had hitherto been the uniform policy of Great Britain? Had any motion been made in parliament against the partition of Poland? Had not noble lords raised their voices against that act of spoliation, and given it as their opinion that this country should go to war in defence of the Poles? It might be said, that this motion only called on government to state the reasons of their conduct; but let it be recollected, that if they once remonstrated, they must be prepared for the consequences. The country must not put itself into the situation of having made a vain remonstrance, which it had not the courage or the means to enforce. This was a case in which parliament could not interfere without either making themselves a laughing stock to all Europe, or resolving to hazard the consequences of a refusal.

After a short reply from the marquis of Lansdown, the House divided: Contents, 23; Proxies 14—37. Not-Contents 42; Proxies 42—84. Majority against the motion 47.

HOUSE OF COMMONS.

Friday, March 2.

Roman Catholic Claims.] The order of the day being read for the House to resolve itself into a committee to consider of this subject,

Mr. *Plunkett* said, that previous to moving that the Speaker should leave the chair, he had a few observations to make, in which he should not occupy much of the time of the House, as he saw no reason to anticipate objection to the course he was about to propose. It was highly gratifying to him to observe the feeling which prevailed on all sides in that House throughout the late discussion on this subject; a feeling which assured him that those who were bound by their sense of duty to contend against the measures which he proposed, would scorn to act upon a vexatious spirit in opposing the bill. He deemed it a duty which he owed both to the friends of the measure and to those gentlemen who were conscientiously opposed to it, now to state to the House the course he proposed to pursue, which was, to propose in the committee certain Resolutions, which he would presently read to them; and after they were carried, and leave given to bring in the bill which he intended to found upon them, to fix the first reading of the bill for Tuesday next, and the second reading for the Monday following; which arrangement, he conceived, would afford ample time for every member to enter fully into its merits. The Resolutions which he intended to propose were:

1. "That it appears to this committee, that by certain acts passed in the parliaments of Great Britain and Ireland respectively, certain declarations and affirmations are required to be made, as qualifications for the enjoyment of certain offices, franchises, and civil rights, therein mentioned.

2. "That such parts of said oaths as require a declaration to be made against the belief of transubstantiation, or that the invocation or adoration of the Virgin Mary, or any other saint, and that the sacrifice of the Mass, as used in the Church of Rome, are superstitious and idolatrous, appear to this committee to relate to opinions merely speculative and dogmatical, not affecting the allegiance or civil duty of the subject, and that the same may, therefore, safely be repealed.

3. "That it appears to this committee, that, in several acts passed in the parliaments of Great Britain and Ireland respectively, a certain oath, commonly called the oath of Supremacy, is required to be taken, as a qualification for the enjoyment of certain offices, franchises, and civil rights, therein mentioned.

4. That in the said oath and declaration is contained, that no foreign prince, person, prelate, state or potentate, ought to have any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within these realms.

5. "That it appears to this committee, that scruples are entertained by his majesty's Roman Catholic subjects with respect to taking the said oath, merely on account of the word 'spiritual' being inserted therein; and that for the purpose of removing such scruples, it would be expedient to declare the sense in which the said word is used, according to the injunction issued by queen Elizabeth in the first year of her reign, and recognised in the act of the fifth of her reign, and which is explained by the thirty-seventh of the articles of the church of England, imports merely, that the kings of this realm should govern all estates and degrees committed to their charge by God, whether they be ecclesiastical or temporal, and restrain with the civil sword the stubborn and evil doer.

6. "That it is the opinion of this committee, that such act of repeal and explanation, should be accompanied with such exceptions and regulations as may be found necessary for preserving unalterably the Protestant Succession to the Crown, according to the act for the further limitation of the Crown, and better securing the rights and liberties of the subject and for maintaining inviolate the Protestant episcopal Church of England and Ireland, and the doctrine, government, and discipline thereof; and the Church of Scotland, and the doctrine, worship, government, and discipline thereof, as the same are by law respectively established."

Mr. *Peel* said, that after the vote the House had come to, it was not his intention to oppose the motion for the Speaker leaving the chair. With respect to the Resolutions proposed, he could only acquiesce in them on condition that the right hon. gentleman only demanded a formal adoption, and that those gentlemen who differed from him should in no way be precluded from offering any opposition, either to the whole or part. He might perhaps, be allowed to say a few words, to discourage too sanguine expectations that might be formed. At a former period, when a similar measure had been carried by a much larger majority it was subsequently rejected. It was his determination to meet this question with temperance, but with the most decided opposition; for he thought that great temperance was perfectly consistent with great firmness. He would endeavour so to oppose it, as to guard against exciting jealousies or fears in the minds of the Protestants, or of exasperation and despondency in the minds of the Catholics.

The House went into the committee. The resolutions were agreed to; a bill was ordered to be brought in thereupon; and the House, on the motion of sir George Hill, was ordered to be called over on the 16th.

GRAMPOUND DISFRANCHISEMENT BILL.] On the motion of lord J. Russell, the House went into a committee to consider farther of the report of this bill.

Mr. *Stuart Wortley* objected to the amount of the qualification for voting which was proposed for Leeds, that qualification being for such persons as rented houses at 10*l*. a year. This qualification he thought too low; for he was ready to avow his opinion, that where the population was very numerous, the right of voting should be comparatively narrowed. He was by no means an advocate for placing Leeds or any other great town, upon the same footing as Westminster, with respect to the right of voting. Upon the best inquiries which he had been able to make, he found that the rate of 20*l*. would include every person of the rank of a respectable tradesman in the Borough, and give a body of voters to the amount of between 2 and 3,000. He should wish therefore, that instead of 10*l*. the sum of 20*l*. be inserted.

Lord *Milton* begged leave to express his entire approbation of the mode of reform which had been introduced by his noble friend. It proceeded strictly upon constitutional principles, and for this reason he preferred it, both to the proposition for extending the elective franchise to the West Riding of Yorkshire, and to that for transferring it to the hundreds in the neighbourhood of Grampound. There was one point, however, on which he was inclined to differ, both from his hon.

friend, and his noble friend who framed the bill. Instead of making any fanciful experiments, or attempting to set our own wisdom above the wisdom of our ancestors, he thought it would be a much safer course to make the borough of Leeds a mere scot and lot borough, like all others where the inhabitant householders had the right of voting. It must be recollected, that there were other classes in this country who were entitled to protection, as well as those who possessed large property. The lower orders stood just as much in need of protection as persons in more exalted stations. If we examined the state of the country for the last 25 years, no man would deny, that the lower orders of the people had suffered more from the pressure of the times than persons in the higher classes of life. The House was bound, therefore, to consider the interests of that portion of the community; and as this was probably the first of a series of measures, which would be applied to the reform of the representation of the people, they ought not to lay down a principle which might exclude from the elective franchise persons in the humbler walks of life. The corruption which prevailed in the smaller boroughs, was rarely to be found in those where the electors were very numerous. It was perhaps of little importance, whether in the present instance the number of electors should be three or six thousand, with reference to the interests of the particular borough; but it was a point of material importance, when considered with reference to the way in which the inferior classes of the people would receive the boon which the House was now offering to them. As to the distinction of respectable classes, as distinguished from the inferior orders, he protested against the use of the term. One class of society might be poorer or more unfortunate than another, but the poorest man in the realm, if he were honest, sober, and industrious, was just as respectable as the most exalted. For these reasons, he thought that, instead of wishing to raise the qualification, the House would do better to abandon all qualification, and in legislating for this particular case, to act upon the ancient and recognised principles of the constitution.

Sir *R. Wilson* begged to observe, that the conduct of the electors of Westminster had been distinguished by the greatest purity. Their example, therefore, so far from being an argument against the exercise of the elective franchise by scot and lot, was directly in its favour. With respect to the borough of Southwark, his first election had not cost above 700*l.* though he had to contend against great wealth, long possession, and high respectability. The expenses of his last election did not exceed 300*l.* He entirely agreed with the noble lord, that the House ought to extend the elective franchise as much as possible to the poorer classes of society, for it was an acknowledged principle of the constitution, that representation should be co-extensive with taxation.

Mr. *Courtenay* said, that there never was an instance of a scot and lot borough having been created by act of parliament. As to the purity of the electors of Westminster, upon which an hon. member insisted, he could only say, that the inhabitants of the city of Westminster had been grossly calumniated, if a great deal of corruption had not existed in former elections. The kind of corruption to which he alluded was, the paying up of arrears of taxes, in order to enable a man to vote.

Mr. *Baring* said, that the particular mode of adding two members to that House was not in itself a question of great importance. At the same time, as this was the first instance in which parliament was called upon to apply a general principle of legislation, in that view it was material that the House should weigh maturely what it promulgated upon this subject. In framing a system of representation, experience proved the necessity of looking to property as an essential principle for the permanence of social order. At the same time, it was undoubtedly essential, that the interests of the poorer classes of society should be mixed up with those considerations. It would be unwise to take property as the simple basis of representation, as the French had done. It was true, that the basis of property was sufficient, as a security; but then the consequence would be, as in France, a total indifference on the part of the people as to the election of their representatives, or their conduct after they were elected. The representation in America, on the other hand, furnished an example of the defects of the popular principle, when taken as the principal basis. He thought, therefore, that the plan of representation best adapted to this and every other country would be one graduated a little upon the scale of principle, and regulated by the principle of the Vestry bill that passed some years ago. If, for instance, 10*l.* were taken as a basis conferring a right of one vote, the scale might be graduated, so as to give to the higher classes of society three or four votes. Such a system as this would, in his opinion, supply the two desiderata of security, both with respect to property and the good will of the people. With respect to what had fallen from his gallant friend, he admitted, that the conduct of the electors of Westminster and Southwark had, in the latter instances, been unexceptionable. But though no great expenditure of money was incurred by the candidates, he must say that there was a most extravagant expenditure of what perhaps was a more serious tax upon the candidates, he meant nonsense [a laugh]. No person stood a chance of success as a popular candidate for those places, unless he condescended to use such language as he would be ashamed to use, in talking upon the same subjects, not only in the society of gentlemen, but among Englishmen possessing common sense.

Sir *R. Wilson* rose to order. He apprehended that no member had a right to say that another member had not only talked nonsense, but used such language to his constituents as he would be ashamed to use in another place. If his hon. friend would attend some of the meetings where the members he had alluded to spoke to their electors, he would have ample opportunity to correct his opinion.

Mr. *Baring* said, he should be extremely sorry if any thing which had fallen from him should be ascribed to a want of respect for his gallant friend, and to the hon. baronet, who was not now in his place (sir F. Burdett). There was no man for whose talents he had a greater admiration, or whom he should be so sorry to lose, as a member of the House, than that hon. baronet. At the same time he must maintain, that any man who would complain of great public grievances, and enlarge upon the sufferings of the people—any man who would talk the greatest nonsense upon legislation and good government was most likely to succeed at such elections as those for Westminster and Southwark. Under all the circumstances, he felt inclined to support the amendment.

Mr. *C. Calvert* bore testimony to the disinterested conduct of the electors of Southwark. No application, during the five contested elections which he had stood for that borough, had ever been made to him for the payment of rates or taxes.

Lord *Milton* considered, that it would be better to adhere to the constitutional practice, and say that the borough of Leeds should be a scot and lot borough, than to make any fanciful deviations, under the notion of forming a good representation. The absurdities which even men of the clearest understandings fell into, when they abandoned experience and took up theories, was but too frequent. He was not a little surprised at the argument of the hon. member for Taunton for a graduated scale of votes, rising according to the property of the voter; for his part, he thought it much better that the poor man should go into the county hall to give his vote upon a footing of perfect equality with his richer neighbour. If that principle were entertained, it would lead to discussions similar to those which had agitated France in the first period of her revolution. He trusted that when they were endeavouring to infuse new life into the constitution, the committee would see the necessity of proceeding on some recognised principle, and he therefore should wish to recommend the payment of scot and lot as that principle, and should therefore move that all the words after "the sum of" be left out.

Mr. *S. Wortley*, in order to take the sense of the committee on his noble friend's amendment, agreed to postpone the consideration of the amendment which he had proposed until that should have been decided.

Lord *Althorp* observed, that he was decidedly friendly to that alteration in the representation, which gave the people a greater share in the deliberative proceedings of that House. He should support the amendment of the noble lord.

Mr. *Martin*, of Galway, though he disapproved of every part of the bill, would support the increase proposed in the amount of the qualification. Without inquiring whether the imputations thrown out against the electors of Southwark and Westminster were true or not, he could not help observing that the opinions of the members for those places, and he might add for Middlesex, were not usually in accordance with those of the generality of the House. He had good authority for saying that one of the banking houses in Leeds contemplated the removal of its establishment, if this bill passed into a law. Under existing circumstances he did not think it safe to name the house; nor would it be safe for the gentry of Leeds to petition against the bill.

Mr. *Lockhart* contended, that all boroughs were not originally scot and lot. He was decidedly adverse to the amendment of the noble lord, though he should not object to some moderate composition. In his view, any change in the representation ought to be bottomed on property.

Mr. *Hurst* expressed his hope, that when the House was creating a new right, they would not overlook the claims of the poorer classes, who so largely contributed to the burdens of the state, and bore with such patience their unexampled privations. The introduction of any sum as a qualification in a scot and lot borough, was an innovation.

Mr. *Peel* admitted, that whether the sum was 10*l.* or 20*l.*, the adoption of the qualification was an arbitrary principle. As they were transferring the right of return to Leeds, he thought they should give the inhabitants a substance, not a shadow. He understood that the payment of the poor's rate on 10*l.* a year, would give a respectable constituency of nearly three thousand voters. Had the transference been to the East Riding of Yorkshire, they would not have been at sea, as they then were, in search of a principle. The scot and lot right was certainly more congenial with the constitution, but there were circumstances in the locality of Leeds which made it disadvantageous to give an unlimited right of voting. It was a great manufacturing town, and such an abstraction of the people from their habits of industry would work a great disservice. Upon the whole, he was in favour of the qualification being fixed at 20*l.*

Mr. *Abercromby* said, he had formerly been of opinion that the better mode of disposing of the elective franchise of Grampound, would be, to give it to the West Riding of York, but he had altered that opinion, and should support the transfer to the town of Leeds, which he conceived would be adhering strictly to the principle of the constitution.

Mr. *Monck* observed, that all were agreed in principle, and differed only in degree. The object was, to give to the inhabitants of Leeds a popular form of election; and he supported the amendment of the noble lord, because it adhered to long-established usage. The chief and broad ground on which he would vote for the amendment was, that it would give to a large, and particularly the poorer class, an interest in the representation. The great defect in the constitution was, that the poorer classes were not represented. If they had been represented, the taxes would not now be so heavy or so unequal. It was remarkable that the land-tax, which affected not the poorer class, was the same now as it had been a century back; while the tax on beer, the beverage of the poor, was quadrupled.

Lord *Castlereagh* said, that whilst he was a friend to the principle of the bill, he should have preferred founding it upon the county representation, and giving it to the East Riding of Yorkshire. That he thought would have been the safer principle; but as the House had decided upon that subject, the question now was, which was the best of the three propositions before the committee. If the noble lord's amendment were adopted, it would be a precedent that when a borough offended, the right should be given to a large and populous town, and vote by scot and lot. Now, if future offences could be contemplated, a great addition would be made to that representation, upon which he looked with the least favourable eye. He had objected to the selection of Leeds, because it was an arbitrary principle, and one which he apprehended would put the bill in jeopardy; however, the noble lord had decided; but why he had chosen scot and lot in preference to burgage tenure, or calling upon the Crown to grant a charter, did not clearly appear. Granting that the House ought to give a popular representation, they were not bound certainly to go to the extreme of the principle; and between the two rates of voting, he should give the preference to the 20*l.* on the understanding that that would give a body of between two and three thousand electors.

Mr. *Denman* regretted the doubts which the noble lord had expressed as to the fate of the bill; as he feared it was of the nature of those doubts to verify themselves in some other quarter. He thought that those who talked of the danger, should have shewn that it was the popularity which caused it. He believed the reverse to be the fact, as the responsibility imposed on men possessing the elective franchise had a tendency to promote the tranquillity of the place. But there were, he believed, eleven townships in the borough of Leeds, and there might be eleven booths for taking the poll; which would afford great facility. The town of Nottingham, which he had the honour to represent and the midland counties in general, were perfectly tranquil; and he was persuaded that had Manchester, Huddersfield, and Leeds, sent representatives to parliament, the discontents which had burst out so alarmingly, would never have been heard of. For these reasons he should support the amendment of the noble lord.

Mr. *Courtenay* thought that by adopting the proposition for limiting the right of voting, they would come nearest to the principles on which the scot and lot right was originally granted. He should wish Leeds to have a large constitutional body; but when he voted for that course, which would secure it a body of from 2,500 to 3,000 voters, he thought he voted for that proposition which would be found most beneficial to the town itself, and most conformable to the constitution.

Mr. *Scarlett* objected to the proposed limitation, as calculated to throw too much power into the hands of the overseers of parishes, and as being likely to cause much litigation with respect to the varying value of houses. He wished it to be thrown open to scot and lot voters.

Lord *John Russell* said, he was desirous of adhering to the ancient principles of the constitution, but thought it better to endeavour to catch their spirit, than to suffer themselves to be bound down by the mere forms and terms of their practice. The privilege given to scot and lot voters was evidently intended to be given to those who paid the taxes; and therefore when he took a person holding a house worth 10*l.* per annum, he thought he acted on the same principle that was formerly acted upon in giving a vote to those who paid scot and lot; as he who did this in former times, was a person whose means were probably greater than those of the holder of a house of 10*l.* or 20*l.* per annum at the present day. The course he had taken in this respect was perfectly analogous to that acted upon by our ancestors, and conformable to the constitution. With respect to the proposition for raising the qualification to 20*l.* a-year, that he considered objectionable, as limiting the right of voting to too small a body of electors. The proposition of the hon. gentleman went to limit the right of voting to somewhat more than 2,000 persons, a considerable number of whom had votes already as freeholders. Under his proposition for admitting those to exercise the rights of electors who rented houses valued at 10*l.*, he calculated that there would be a body of from 6,000 to 7,000 voters, and could not consent to reduce their number to 2,000.

The Committee divided:

For lord Milton's Amendment	66
Against it	182
Majority	116

List of the Minority.

Abercromby, hon. J.
Althorp, lord
Anson, sir G.
Barrett, S. B. M.
Benett, J.
Bennet, hon. H. G.
Benyon, Benj.
Bright, H.
Calcraft, J.
Calvert, C.
Crompton, S.
Crespigny, sir W. De
Denman, Thomas
Dundas, Charles
Ellice, E.
Farquharson, A.
Folkestone, lord
Fitzgibbon, hon. R.
Fitzgerald, lord W.
Fitzgerald, sir M.
Gordon, R.
Grant, J. P.
Grattan, James
Griffiths, J. W.
Harbord, hon. E.
Honeywood, W. P.
Hornby, Ed.
Hill, lord A.
Hume, J.
Hurst, R.
Hutchinson, hon. C.
Johnstone, W. A.
Lennard, T.
Lloyd, J. M.
Lushington, Dr.
Macdonald, Jas.
Martin, J.
Monck, J. B.
Moore, Peter
Newport, sir J.
Noel, sir G.
Orde, Wm.
Pares, Thos.
Parnell, sir H.
Palmer, C. F.
Power, R.
Price, R.
Ramsbottom, J.
Rice, S. R.
Ridley, sir M. W.
Robarts, A.
Robarts, col.
Robinson, sir G.
Scarlett, Jas.
Sefton, earl of
Smith, W.
Stanley, lord
Stuart, lord J.
Sykes, D.
Tennyson, Charles
Tierney, rt. hon. G.
Wharton, J.
Whitbread, S.
White, Luke
Wilson, sir R.
Wyvill, M.

TELLER.

Milton, lord.

The Committee next divided on Mr. Stuart Wortley's motion, for inserting 20*l.* instead of 10*l.* Ayes 148. Noes 94. Majority 54. The several clauses of the bill were then gone through and the House resumed.

HOUSE OF COMMONS.

Monday, March 5.

GRAMPOUND DISFRANCHISEMENT BILL.] Mr. *Stuart Wortley* moved the order of the day for bringing up the report of this bill. He was placed in a singular situation by the absence of the noble lord who had brought in the bill, and who in consequence of the amendment which he (Mr. S. W.) had moved being carried, had given up the measure as lost. The bill being thus left to him, he hoped the House would allow it to be re-committed, as it was understood to provide, that a person to be entitled to vote must hold a house of the annual value of 20*l.* This was not what he meant. What he proposed was, that the vote should be given to householders paying scot and lot on an annual rent of 20*l.* for house, or for house and land together, so that the party should *bona fide* pay poor's rates on 20*l.* per annum.

Mr. *Hobhouse* felt that many who had supported this bill while it was in the hands of the noble lord who had brought it into the House, now that they saw it had got into the hands of those who were unfavourable to reform, might reasonably oppose it. From the first he had felt that this measure was not that which would satisfy the wishes of the country: nevertheless he had supported it, to show that those who supported radical or any other reform were not so uncompromising in their character as to accept of nothing because they could not get all they desired. He then noticed the reflections thrown on the people of Westminster on a former night, and declared that for propriety of conduct, integrity and discernment (except in the choice of one of their representatives), he knew of no body of men who better deserved the approbation of their countrymen. The objections which had been made to popular elections he regarded as a calumny, not on the people of Westminster, but on the people of England generally. The hon. member who had thrown out the reflections on the people of Westminster, had taken his information from a source that was false and infamous, on which he hoped he would place no future reliance. The hon. member for Taunton had said it was notorious that that individual would be most favoured who could talk most nonsense.

Mr. *Bankes* spoke to order, and objected to any reference to what had passed on a former night.

The *Speaker* said, it was disorderly to refer to what had passed on a former debate.

Mr. *Hobhouse* said, that as the rule of the House was imperative, he must, without receding from his argument, adopt a different mode of enforcing it. He should now only suppose it to be the case, that language or sophistry which had been employed by him should appear sense to one man, whilst in the judgment of another it was mere nonsense. Was it any thing remarkable that this should happen at Westminster? Had no such contradiction ever been heard of at Taunton? It had been rumoured that the people of Taunton, who had not scot and lot, but who, some of them, being in the interest of the opposition candidate, had not scrupled to draw along as his ensign, a loaf almost as big as a mountain, adorned with four cupids. He mentioned this anecdote at least on as good authority as that on which the hon. member for Taunton had attributed to the electors of Westminster a love of annual nonsense. The course which the question of reform had taken, was to him satisfactory, as the people had now been taught round whom they ought to rally, and who, when the time of trial came, would not be found wanting in their cause.

Mr. *Hume* said, he had inspected the accounts of a Westminster election some years ago, and could bear testimony to the correctness with which every shilling of the money expended on that occasion was accounted for. He knew of no instance of the poor rates being paid for any elector who favoured the popular candidates, and believed every voter for sir F. Burdett and Mr. Hobhouse on the late election would have been insulted by such a proposition. He would accept the present bill as a boon, small as it was, compared with what had originally been intended by the noble lord who brought it into the House.

Mr. *Gurney* supported the bill in its present shape, but regretted the alterations that had been made in it.

The report was then received, and the bill re-committed.

HUSBANDRY HORSES.] On the order of the day for going into a committee on the Husbandry Horses Duties Acts.

Mr. *Curwen* said, that under the present general distress of agriculture, he thought it impossible that the House could continue the duties upon horses solely employed in husbandry. The duties were not so large in themselves, but their operation was vexatious and most unjust. One of their peculiar hardships was, that they fell the heaviest on those who were least able to afford them. The Horse Tax never operated in a just proportion. It fell on the northern parts of the kingdom in the proportion of seven to five. In the southern parts a less number of horses were used for tilling the ground than could possibly serve for that purpose in the north. He would venture to say, that there was no tax so oppressive and vexatious. If the husbandry horse was used occasionally for any other purpose, then the proprietor was subject to the vexation of a surcharge. The tax had also the effect of discouraging the breeding of horses. The farmer was now just as heavily burthened as in his years of prosperity; but if this tax were removed, he would accept it as a boon, and a proof that ministers had some sympathy with his sufferings. Instead of continuing it, why had not the chancellor of the exchequer increased the game license tax from three to five guineas? Why had he not raised the tax upon pleasure horses? Why had he not laid a duty of ten guineas per ton, instead of three guineas, upon tallow? for surely we owed no very heavy obligations to Russia for any encouragement she had given to our trade. These measures would produce as much to the Treasury as was obtained from the impost upon horses employed in agriculture. He would move, "That it be an instruction to the committee to make provision for the repeal of the Duty on Horses solely employed in Husbandry."

Sir *C. Burrell* supported the motion, contending that it would be quite as just to tax the farmer's plough, his cart, or even his labourer as his horse. He considered the abolition of the husbandry horse tax as but a small boon; the whole amount of the tax did not exceed 480,000*l.* and of this but a small part was produced from the horses employed in agriculture. He had on a former occasion suggested the propriety of laying a tax on transfers of stock at the Bank. He was certain it would produce a greater sum than the amount of the present tax.

Mr. *Lockhart* wished to press upon the consideration of the House the different circumstances under which the duties had been originally laid on, and those which existed at the present period. He could not touch upon the subject before the House without looking anxiously for some declaration by which it might be ascertained whether ministers were sufficiently impressed with an idea of the real distress which at present existed in the agricultural interests. His own impression was, that they were not. If they would not open their eyes, and endeavour to afford relief to the general distress, they would be obliged at last to yield by necessity, what they were not now disposed to concede as a boon.

Mr. *Grenfell* said, that in every loan act was a clause that no stamp duty, whatever, shall be paid upon the transfer of stock. Now, he would ask the House if, after such a compact, it could be guilty of such a breach of public faith, as to consent to any tax upon this species of property?

The *Chancellor of the Exchequer* said, that the object in going into the committee was not to propose any new tax, but to continue for a certain time the mitigated duty which had been regulated a few years ago. The repeal of a tax which produced half a million of money was a serious question in the present state of the country. He would not say that some substitute might not be found for it; but the present was not the time for discussing the question.

Colonel *Davies* was of opinion that the tax might be got rid of altogether. He could not but express his surprise that in the discussion of the present question, no mention had been made of retrenchment and economy. He should soon have an opportunity of shewing, in the discussion of the army estimates, that by an economical arrangement, the amount of this tax might be saved upon that branch alone.

Mr. *Monck* was convinced that ministers would never begin the long promised work of retrenchment, until the House refused them some of the taxes. It was not by placing high duties upon foreign corn that adequate relief could be expected; for that would be only transferring the pressure from the grower to the consumer. The real evil was in the pressure of excessive taxation, added to the improved state of the currency.

Mr. *Huskisson*, before the question went to the vote, wished to call the attention of the House to its real nature. A few years ago the agricultural horse-tax had been mitigated; and it was now intended in the committee to propose the continuance of that mitigated tax for a limited time; but the motion of the hon. member would go to the reduction of the tax upon horses of another description, which had not an equal title. This, on the present occasion, would be an absurdity. The hon. member might afterwards make a distinct motion for the repeal of the tax altogether, if he thought proper.

Mr. *Bright* complained, that some hon. members were disposed to take off taxes from themselves and lay them upon their neighbours. He would support any proposition for the reduction of a tax, but never for transferring it from one interest to another. He thought it would be highly desirable that country gentlemen should come to a determination not to vote for any of the estimates until something had been done towards relieving the distress of the country.

Mr. *Ellice* wished to follow up the remarks of the hon. gentleman by suggesting, that the sinking fund ought to be made applicable to the public service, and that taxes of an equal amount should be taken off.

The House divided: For the Instruction, 65; Against it, 122. The House then went into the committee.

List of the Minority.

Allen, J.
Barham, J. F.
Barnard, lord
Bernal, R.
Bennet, hon G.
Bennett, J.
Boughey, sir J.
Burrell, sir C.
Bury, lord
Calcraft, J.
Calvert, C.
Calvert, N.
Cawthorne, J. F.
Cheere, C. M.
Claughton,
Coffin, sir J.
Colborne, R.
Crespigny, sir W.
Cripps, J.
Curteis, E. J.
Denison, W. J.
Ellice, E.
Farquharson, A.
Folkestone, lord
Glenorchy, lord
Gordon, R.
Grant, M.
Grattan, J.
Hamilton, lord A.
Harboard, hon.
Hobhouse, J. C.
Hotham, lord
Hume, J.
Hutchinson, hon. C.
Lambton, J. G.
Latouche, J.
Lawley,
Lennard, F.
Lockhart, T. B.
Lushington, S.
Mackintosh, sir J.
Marjoribanks, J.
Monck, J. B.
Newport, sir J.
O'Grady, S.
Ord, W.
Pitt, J.
Powlett, hon. W.
Ramsay, sir A.
Rice, R.
Rickford, W.
Robarts, A. W.
Roberts, col.
Robinson, sir G.
Shelley, sir J.
Sykes, D.
Webb, col.
Western, J. C.
Whitbread, S.
White, L.
Wilson, sir R.
Wilson, sir H.
Wyvill, M.

TELLERS.

Creevey, T.
Curwen, J.

TRANSFER OF STOCK.] Mr. *Curwen*, in rising to submit the motion of which he had given notice, would not shrink from saying, that he did so with the view of calling the attention of the House to the propriety of imposing a duty on the Transfer of Stock. He contended that the right and foundation of all government rested on the principle, that every man should pay for the protection of his property. If that were a general law which could not be disputed, then he maintained, that any exemption in favour of a portion of the community was a fraud upon the public. There was, however, at the present moment exempted from all direct share of the public burthens, a property equal in amount to the whole real property of the united empire. If this exemption had hitherto existed, he was prepared to contend that circumstances might now exist to warrant the removal of that exemption. But he was not without very great authority when he stated his opinion to be, that this property was not legally exempted from a share of the public burthens; for he thought he was justified in saying that it had been ruled by the late chief justice of the court of King's-bench, that funded property was available for the support of the poor, under the 43rd of Elizabeth: and if liable to be taxed for the support of the poor, it ought surely to be taxed for the support of the public credit. [The hon. gentleman was here rendered inaudible by the coughing of members.] He begged pardon of the House for detaining them so long; but surely it was due to an individual who had been accused of making a proposition little short of robbery, to be allowed to explain himself. If the whole country was at present borne down with the public burthens, was it unfair to ask the fundholder to take a share? He would ask hon. members to compare the present state of this country with that of France at the commencement of the disturbances there, and to say if those disturbances did not arise from the exemptions claimed by the clergy, the nobles, and other privileged orders. He would move, "That there be laid before this House, an account of all Stock transferred at the Bank of England for the ten years ending the 31st Dec. 1820, excepting only stock transferred to the commissioners for reduction of the National Debt; showing the total amount of each kind of stock, and also the total amount of all stock transferred in each year respectively."

The *Chancellor of the Exchequer* said, he would, at once, meet the principle of the motion, and he could not but observe, that although he was far from charging the hon. member with intending to bring down destruction upon public faith, and ruin upon individuals, the measure proposed would certainly have that effect, and therefore deserved every reprobation. The hon. member appeared to confound two principles entirely different in their application and effect: he confounded that burthen which the stockholder was bound to bear in conjunction with the rest of the community, with the imposition of a specific tax on the stockholder peculiarly. From the common burthen the stockholder claimed no exemption; for twenty years he had submitted to the property tax without complaint; but to a specific tax he did, and fairly did, object. It was said, that the stockholder had in fact bought in considerable sums under a depreciated currency, which he now claimed to be repaid in gold. Certainly, during those years of depreciated currency nearly one-fourth of the present debt had been contracted; but how was it possible to separate that particular portion from the whole mass, or to distinguish the individuals who had profited by that temporary state of the circulating medium? Even if such a line could be drawn, what possible justification could the fact in question afford for an attack upon the public creditor? It would be just as reasonable to release and unbind every private bargain which had been made and entered into at the same date. He knew there was a feeling in the country, that the rich stockholder ought to contribute largely towards the public expenditure. To contribute certainly; but not to contribute specifically. Let the House recollect that funded property was not difficult of removal; it might easily be transferred to other countries; and it would be so, but that the security of England was preferred. Once let a breach of faith be suspected, and that preference was at an end; *sauve qui peut* would be the feeling; and while an immense mass of stock flung suddenly into the market hampered every public operation, an immense capital, for which no employ could be found, would produce the most distressing effects upon the commercial interests of the country. The slightest breach of faith with the public creditor would place England at the mercy of any enemy by whom she might be attacked.

The motion was negatived.

MR. ELLIS—DUTIES OF A MASTER IN CHANCERY IN IRELAND.] Dr. *Lushington*, in bringing forward his promised motion, trusted he should be honoured with the attention of members, and particularly of those members interested in the prosperity of the sister kingdom; for he hoped to convince them that the rejection of his motion would be, to a very large class of the inhabitants of that kingdom, pregnant with the most serious injury. It needed not to be stated that over every description and over every form of property courts of equity now held jurisdiction. Wherever an account was to be taken, or a doubtful title investigated, a contract to be enforced or cancelled, or a disputed fact ascertained, courts of equity exercised an extensive, if not an exclusive jurisdiction; and the paramount importance of celerity and despatch in all the proceedings arising in such courts must be obvious to every one. Now, it was a general complaint, that although justice might upon the whole be fairly dealt out in courts of equity, yet, that the expense and delay attendant upon their decrees was a most intolerable grievance: that delay and expense was an inconvenience equally lamented by suitors and by lawyers; and the House would be imposing upon the already heavily burthened suitors of the Irish courts of equity an additional load of distress, if they permitted that practice which it was the object of the present motion to set aside. The duties united in the person of the hon. and learned gentleman opposite (Mr. Ellis), the duties of member for Dublin, and of master in chancery in Ireland, were so incompatible with each other, that either the first or the last must necessarily be neglected. He did not mean to say that the hon. and learned gentleman might not with perfect regularity discharge his functions as a member of the House of Commons—for the House had a paramount right to the service of its members and a power to compel their attendance; but he wished to protect the Irish suitors in chancery, who had no such compulsory process against their master, and who consequently would be unable to cope with parliament in the mutual claim to the hon. and learned gentleman's attention: and he was prepared to show, first by the report of the commissioners appointed by the Crown, and next, by evidence which could neither be controverted, nor explained, in short, by the words of the hon. and learned member himself, that the duties of that hon. and learned member as master in chancery could not be performed by deputy, and that they must absolutely be at a stand whenever his parliamentary calls required his presence in England. Now, the hon. and learned gentleman had been appointed to his office in the year 1806, and he had obtained the resignation of the former incumbent Mr. Walker, at the price, according to his own statement, of 9,850*l.* He did not mention that fact as at all aggravating the impropriety of the hon. and learned gentleman's desire to retain both the characters which were vested in his person: in purchasing his office, the hon. and learned gentleman only acted in conformity with that which, for a long series of years, had been the practice in Ireland; but he must be permitted to say, that the practice of selling judicial offices, particularly offices of such high responsibility as the office in question, was a practice most favourable to the creation of abuse. That abuses indeed had prevailed, and to a very considerable extent in the Irish courts of equity during the last 30 years, few persons would deny; for it appeared among other facts, by the report of the commissioners, that one single six clerk had charged 1,297 attendances in the same cause—not one of those attendances being otherwise than fictitious. The simple relation of such a fact, without any thing in the way of comment, was sufficient. That many similar abuses prevailed, even at the present moment, there could be no doubt: he trusted to see them remedied, but they would not be remedied by withdrawing the attention of a master in chancery from the very material duties imposed upon him by his situation. To show, upon the hon. and learned member's own oath, the nature of the duties devolving upon him as a master in chancery, it was only necessary to go to his examination before the commission which sat upon the state of courts of justice in Ireland. On his appearance before the commissioners upon that occasion, the hon. and learned member was asked "What are the duties of your office, and the hours of attendance?" How did the hon. and learned gentleman answer that question? He answered, "the duties of my office are various, and difficult to be specified, they principally consist in taking accounts pending in chancery suits; in investigating disputed facts in case of lunacy, bankruptcy, and title; in taking affidavits;" and, in short, in a great variety of important avocations which he (Dr. L.) would not now enumerate; but from any delay in the performance of which the most mischievous consequences could not fail to arise. If an account was to be taken in bankruptcy, if an allowance was to be fixed for a lunatic, if a lease was to be granted on the part of a minor, or if a report upon any question in a cause was not duly made; if all these matters, or if great part of them, or if any of them was to be brought to a stand-still by the absence of the hon. and learned gentleman upon any secondary pursuit whatever, great injustice was done to the Irish suitors in chancery. —The second part of the question, however, put to the hon. and learned member by the commissioners was worthy of consideration. The question was, as to the hours of attendance. What was the hon. and learned gentleman's reply? "The duties of my office require my regular attendance for ten months in the year, and afford more or less business for every day in the year. I am always in my office from 11 o'clock until 3 or 4, each day during term, and from 12 until 3 during the vacation, as business may require; this is independent of occasional business at my house in the evening; and of taking affidavits at all hours when parties find it necessary to swear them." Now here was evidence of the hon. and learned gentleman himself, that his presence was required in his office ten months in the year. And how such an attendance could be compatible with the coming of the hon. and learned gentleman to this country to discharge his parliamentary duties, he could by no means understand. Could any other master in chancery perform the hon. and learned gentleman's official duties? What did he himself say upon that point? He said no: and his evidence had the strongest corroboration in the world, for at the very same time there were two out of the other three masters in chancery for Ireland, each giving the self-same account of his own occupations. Even independently of the want of leisure, the nature of the duties devolving upon a master in chancery was such, that those duties, nine times in ten, could be executed by no one but himself; and surely, not the warmest advocates of the practice which he was deprecating, not even the attorney-general, nor the learned member for Exeter, nor the learned member for Tewkesbury—both masters in chancery—surely not one of those gentlemen would say that he could perform the duty of a master in chancery in England, if it so happened that parliament were sitting in Dublin. The appointment of a deputy, in Ireland, was equally objectionable; and, notwithstanding the desperation which seemed to attend all motions arising on his side of the House, he did trust that there were members present from the sister kingdom, who had something like feeling for their unfortunate fellow-subjects. It might be argued, that the motion was premature and without precedent, and that it came in the nature of an *ex post facto* law. He viewed it in a very different light. The hon. and learned member had received his office during pleasure: he had not taken it as a mere source of emolument, without the prospect of any duties to perform. The hon. and learned gentleman had allowed himself to be put into one situation the duties of which were quite incompatible with those of another which he then and still continued to hold. He had stated, in his own examination before the commissioners, that he had been appointed to his office as a master in chancery in Ireland by the duke of Bedford, without any condition "save the due performance of the duties attached to it." The only condition, then, was the due performance of the duties. And, had he not violated that condition to which he had voluntarily subjected himself, by subsequently accepting another office to which imperative duties were attached — duties that he could not possibly perform consistently with the previous ones which he had fully contracted?—He had heard high encomiums passed upon the effective manner in which the hon. and learned gentleman had discharged his duty as a master in chancery. It was for that very reason he required the House not to impose upon the hon. and learned gentleman duties which it was utterly impossible he could perform, and continue those in which he was now considered so efficient. They had no right to deprive Ireland of the services of such an officer. At all events, it was quite clear, from his own showing, that he could not attend to them and retain his seat in parliament. The hon. and learned gentleman had stated in his evidence, that his fees annually amounted to 3,710*l.*, his salary to 400*l.* a year, half the fees of his examiner and clerk amounted, short by a fraction, to 300*l.* a year more, making a total of 4,400*l.* per annum —a sum as large as the puisne judges of the land enjoyed.—He would now show how the two situations were quite incompatible. It was a principle always recognised and acted upon by the House, that they had a right to command, whenever they pleased, the attendance of all their members. So far back as the year 1549, that principle would be found to have been acted upon in their journals. In 1676, sergeant Maynard was ordered to be taken into custody for going circuit without leave. In 1692, Mr. Cunningham was ordered into custody for leaving his duties in parliament and going to Ireland to discharge his duty there as first commissioner of the revenue. It was therefore quite clear that, by the law, the attendance of a member of parliament was imperative. Perhaps he should be told that the House seldom enforced its orders in their most rigid sense. God forbid that they should! For it was clear that, in many cases, their orders might be made to bend to private convenience, without affecting public interests. But though they might be abandoned for temporary purposes, yet it could never be contemplated that they should introduce a principle which would go the length of a permanent relaxation of them. It was true, that officers in the army, while members of that House, were repeatedly absent in the discharge of other public duties in which they were perhaps of more material service to their country. Their absence on such occasions was, however, temporary and accidental, and furnished no analogy whatever to such a case as that of the hon. and learned gentleman; for in his case, in the nature of things, it never could happen that he could discharge his duty in that House, without leaving other duties of equal importance undischarged elsewhere, to the material injury of the suitors in his court. With respect to his attendance here, take, for instance, the call of the House on Friday week—suppose the hon. and learned gentleman were then engaged in the close performance of his official duties in Dublin, would the House receive that as an explanation for his non-attendance here? Suppose again, that the bill for degrading her majesty had come down to that House, and had entailed upon them, for months and months, the task of examining witnesses, how was it possible that the hon. and learned gentleman could have obeyed the call which was then intended to have been enforced, without exposing the suitors in chancery to all the losses which must necessarily arise from his absence? Then, again, there were the duties of election committees, the burthensome nature of which rendered it impossible they could fairly reduce the liability of members to serve upon them. In such cases, how was it possible the hon. and learned gentleman could stay where he was bound to remain in the discharge of one duty, without altogether abandoning his professional duties? After the reports which had been made by the commissioners appointed to inquire into the state of the courts of justice in Ireland, it was impossible the House could overlook the necessity of rendering the performance of the duties therein as efficient as possible. They would remember that in June 1814, when the abuses in these courts were brought to light, the existence of such abuses was confidently denied by the noble lord opposite, and one of his right hon. colleagues. They taunted those who asserted the abuses with maligning the administration of justice in the courts of Ireland, and yet the result disclosed all the abuses which were alleged at the outset. They would recollect that that inquiry was originally instituted by only a majority of 49 to 48. But why need he refer to these matters? Did not the noble lord opposite, when the subject was under discussion last year, distinctly state, that "all he required was, that the learned gentleman should have the option, if elected, of retaining his seat or resigning his office; but that, if he retained it, there could be no objection to address the Crown for his removal." Such were the noble lord's words: he had heard them with his own ears; and the House had heard them. The same expressions were used by a right hon. gentleman now absent (Mr. Canning). So that in June 1820, it did appear, both to the noble lord and to his right hon. friend, that if Mr. Ellis took his seat as one of the members for Dublin, it was quite fit he should be removed from his office as a master in chancery. The noble lord then fully admitted, that it was quite impossible the learned gentleman could be an efficient member of parliament in England, and at the same time an acting master in chancery in Ireland. He knew of no occurrence since June last, which could alter the noble lord's opinion upon this matter, or make him think that Ireland could better bear abuses now than she could then. Suppose this gentleman were allowed to retain his seat and office, might not every other Irish master in chancery, with equal right, become elected to serve in parliament the following day? As the case now stood, it was an insulated one; they had no precedent since the union; but if they made a precedent now, those who might hereafter come before parliament would have just reason to complain if they were not allowed a like permission. He therefore called upon the House to decline making a precedent which could not fail to be prejudicial to the public interests. He would move "That the duties of a master in chancery in Ireland require, for the due performance thereof, a constant residence in Ireland; that Thomas Ellis, esq., one of the masters of the said court, being elected and serving as member in this parliament for the city of Dublin, cannot adequately discharge the duties both of master in chancery in Ireland and member in this House; that the duties of member of parliament are intitled to precedence; and that, consequently, the duties of master in chancery in Ireland must be neglected, and great delay and injury result to the suitors in those courts."

Mr. *Lennard* seconded the motion. It seemed that the learned member for Dublin had, in effect, stated in his examination, that he considered himself only entitled to the benefit of his office, so long as he conscientiously and diligently performed the duties of it—duties which he had admitted required his own personal attendance. There was pretty sure evidence of his diligence in his office, allowing the increase of his fees to be a criterion. The learned member had bought his place on a calculation of 2,500*l.* a year, and by his own evidence that the fees of it amounted to nearly 4,000*l.* It would not be pretended that the learned member had a legal ubiquity, like the king, and could be supposed, present at the same time in different places. He thought that a case of complete incompatibility of duties had been distinctly made out, that there was but one remedy by which the interests of the Chancery suitors could be restored, and that was by his majesty being graciously pleased to restore those rights to them by the removal of a person who had been guilty of a moral waver of his office, by the acceptance of another, which, whilst he executed it, was inconsistent with his duty as master, and which, if he executed his duty as master, he ceased to fill with justice to his constituents. Let the House suppose that there was still a parliament in Ireland, and that a person holding a judicial office, which required his personal attendance in London for ten months every year, should be elected a member of it; and that he should abandon his judicial duties in England for those of a representative in Ireland; could it for a moment be contended, that he would be allowed to do so with impunity, because there might be no express remedy, no statute prohibitory? The mere statement of the case was sufficient to show the absurdity of such a position, if it should be attempted to be maintained. There was a distinct line to be drawn between occasional absences and permanent and fixed absences; the one, being common to all persons, could not be held to disqualify; the other being fixed and known, rendered the person subject to them virtually incapable of election; which formed a ground for addressing his majesty, to remove the member for Dublin from his office of master.

Mr. Ellis was about to address the House, when—

The *Speaker* interposed, and said, that a doubt arose in his mind, whether or no the hon. and learned gentleman should rise before or after the question was put from the chair. If the question were considered by the House as implicating the hon. and learned gentleman in any thing like a distinct charge, then the course would be, for him to speak before the question was regularly put, and then to withdraw during the subsequent discussion. If this motion were, however, not meant to be inculpatory, but merely to relieve the hon. and learned gentleman from the duties of a particular office, then he might reserve himself until after the question was read. If the proposition affected his seat in parliament, then, like all other questions of privilege, the usual course would be, to hear the hon. member before the question was put. As it struck him at present, the motion was not inculpatory, and therefore he thought the House might permit the putting of the question to precede the speech of the hon. and learned gentleman.

Mr. *Wynn* rather thought, that where, as in this case, the motion named the individual to whom it referred, it ought to be considered as in some measure inculpatory, and as one of those subjects which the House, in delicacy, were in the habit of discussing in the absence of the individual. It would be, therefore, he thought, more consonant to the ordinary rules, to hear the hon. member before the question was put. He spoke, however, without having had any opportunity of consulting authorities.

The *Speaker* thought, that the safer course would be, if any doubt prevailed, to hear the hon. and learned gentleman before the question was put.

Mr. *Ellis* began by expressing a hope, that no sense of delicacy towards him personally, or to his feelings, would prevent the House from going into the fullest discussion upon the subject of the motion. He could only lament that that delicacy had not been observed by the hon. and learned gentleman, but that charges had been made against him, exaggerated in their nature and exasperated in the detail, while they were meant to affect that question which alone related to himself. If a long and diffuse dissertation of the grievances of Chancery suitors, and supposed dereliction in other offices with which he (Mr. Ellis) had nothing to do; if all this had been done, he felt himself excused in saying, that those exaggerated statements had been made by the hon. and learned gentleman, with no delicacy towards his (Mr. Ellis's) own peculiar situation: If the present question referred only to his own feelings, he would much rather have at once withdrawn from a contest, where his name, accompanied with every circumstance of exasperation, had been held up, day after day, and week after week, to public obloquy. But, humble as he was, he felt that his case was now mixed up with that of a constituent body of the empire; and that, however his own inclinations might tend, he could not abandon his own rights without sacrificing theirs. Upon a recurrence to the report upon which the hon. and learned doctor had dwelt so much, it would be found that the only part of his evidence wich was supposed te bear upon this question, consisted of two answers —one, a written answer to certain queries addressed to him by the committee of inquiry; and the other, a verbal answer to the commissioners in the year 1819. The answer which was given to the written queries was to this effect :—"I am always in my office from 11 till 3 during the term sittings, and from 12 till 3 during the vacation: and very often I attend later than these hours, in order to accommodate such suitors and parties, and their solicitors, as cannot attend at the ordinary hours of the court. The evening I devote to taxing bills of costs, &c." Now this answer only referred to a question addressed to him, how he spent his time in the day? It might be necessary to explain to the House his mode of doing business; and with this view it was intended that his answer should be addressed to the commissioners also; and it was a fact, that every day of every term, excepting perhaps Good Friday and Christmas-day, his time was so occupied. But, did this answer bear the construction, that, because he gave this kind of attendance in term-time, he necessarily attended every day in the year in the same manner? It was an answer, simply explaining how long his attendance was necessary; and did not express an opinion, that continued attendance was necessary without regard to how that might be interrupted. More importance, however, was attached to his next answer; and he was ready to admit that more importance ought to be attached to it. It certainly, as it stood, required explanation, and that explanation would show that no injury resulting from the delay of a single day or a single hour, would accrue from his absence from Dublin. The words were—"The duties of my office necessarily require a regular attendance for 10 months in the year," &c. From that reply he did not wish to retract a single word. It might be necessary to acquaint the House that the business of the court of chancery proceeded in rotation. It was matter of mere accident what master's name was put on the order; and after it was so put down on the order, it was matter of perfect indifference by whom the duty was performed. In this country, the case was otherwise. Here, upon the intended absence of a master, it was necessary for him to obtain leave, and notice was regularly given. In the sister country, no such forms were observed. It was open to every master to perform that duty, which, upon the paper, was assigned to another. There was no preference manifested in favour of one more than of another; and therefore, any compliments which had been paid to him, at the expense of others, by the hon. and learned doctor, he begged leave to renounce. The other masters were, at least, as competent and as well qualified as himself. If, in the order or the return, there was a master named whom the officer could not find, he had only to turn from the left to the right in the same building and another was immediately to be found equally fit for the purpose. Much as they had heard about the absence of the chancellor of Ireland, for months at a time, and the variety of ill consequences which ensued upon it, he would answer that assertion by the irresistible fact, that the chancellor of Ireland never rose from his seat at the end of a term, and left one business upon the paper unfinished. And here he begged to say, that when he left Ireland three weeks ago, he himself left not one single paper on his desk, of any sort, nature, or description whatsoever which was not settled, adjusted, or finished. He challenged the inquiry of that House into the fact. But, to recur to the question of attendance, he begged to say, that from the 1st of January to the 31st of December, there was not a vacation of a single week in the business of the master; nor was the master's office throughout that period known to be shut even for a single day. [Loud cheers from the Opposition.] If he did not misunderstand that cheer, it meant this, that where offices were open all that time, there must be business which was to be done and required to be attended to. But, by what mode did they accomplish the transaction of this business of the public? It was by this, that the masters, by an arrangement which they had made, had contrived to give each other two or three months vacation a piece. In the busy time of the year, the spring, he for instance, took a vacation of two months. During that time the three other masters did his business for him; and in return for that, he took two months for them, in the same way, during the long vacation. If they were to be absent all at once, they would defeat their own object, and the Master's Office would close. And now, he would ask, was this a state of things which required the House to deprive an individual of his office, and to take from the citizens of Dublin the exercise of their just rights? But, as he had said before, he would not enter into a statement of facts which delicacy, so far as the question regarded himself, prevented him in some measure, from adducing on this occasion. He did assure the House, in the most solemn manner, that if he should find that the discharge of the two duties trenched more upon his time, not than his public duties required, but than the interests of his family justified him in appropriating, he should not be slow to adopt the alternative which remained to him. He now took his leave for the present. It would be some consolation for him to know, even if he should never enter that House again, that the last time he raised his voice within its walls was in defence of the violated rights of an individual. The hon. and learned gentleman then withdrew.

Mr. *Peel* said, he was prepared, even admitting the impossibility of the effectually fulfilling the duties of a member of parliament, and of the office of master in chancery, at one and the same time, according to the argument of the hon. and learned doctor, to maintain this position, that, supposing the hon. and learned member who had just quitted the House should select his alternative and prefer the duties of his office, yet, that it was contrary to the uniform practice of that House to interfere on the general presumption of the incompatibility of the two situations. The House had a certain way of enforcing the attendance of its members; namely, by a call of the House, and by punishing defaulters; but, in this instance, upon a mere previous supposition of the difficulty or impossibility of their execution, the House was called upon to enforce the performance of certain duties, which it had never been customary so to interfere in. Numerous were the cases in which officers in the navy or army, being called to attend their duties or commands abroad, neglected their attendance in that House; yet no measure was ever proposed for the purpose of enforcing such attendance. But, the constituents of those gallant officers might with some show of reason complain of such neglect; seeing that they returned them, on the faith of their discharging their parliamentary duties; whereas Mr. Ellis, at the time of his election, had informed his constituents that his professional, were likely to preclude the due discharge of his parliamentary duties. The cases of ambassadors, members of that House, but employed abroad on foreign missions, were analogous to those of naval and military officers. The right hon. gentleman then replied to the case cited by Dr. Lushington, of Mr. Culliford, a commissioner of the revenue in Ireland. In that case the House proceeded as of its own authority, and no address to the Crown was moved. The right hon. gentleman concluded by contending, that the proposition of the hon. and learned gentleman was totally inadmissible; and that, if it should hereafter be deemed proper to exclude masters in chancery from that House, they ought, following the practice of their ancestors, to provide for such an exclusion by a prospective measure, and not by a course of proceeding at once inculpatory and retrospective in its operation.

Mr. *Abercromby* said, that the right hon. gentleman had not stated one single argument against the incompatibility of the two offices. The right hon. gentleman had triumphantly appealed to the case of ambassadors at foreign courts. Who were injured in that case? The constituents. Who were injured in this case? Not the constituents, but the suitors in the court of Chancery. The right hon. gentleman again argued upon the supposition that Mr. Ellis was performing his duty in the court of Chancery. Whence this inconsistency, but from the misconduct of Mr. Ellis? Was it possible that the House could sanction such inconsistency? The evidence of Mr. Ellis before the commissioners had been precise and decisive. He could not perceive that his explanation touched it at all. He said that he had three colleagues. But his colleagues might be as ambitious as he was, and might vote as zealously against the Catholics as he had done. As to the complaint of *ex post facto* proceedings, the present motion came no more under that complaint than an address to remove a person for corruption or malversation in office. In one of his answers Mr. Ellis had said—"The duties of my office require my attendance for ten months in the year." Here they had his own distinct evidence without any qualification, that the duties of his office required his attendance for ten months. The noble lord had last year said, that if an address were moved, such as was now moved by his hon. and learned friend, no minister of the Crown would dare to oppose it. As Mr. Ellis had made his election, his hon. and learned friend had necessarily shaped his motion as an address for removing him from his office. But, if Mr. Ellis chose, he had the finest opportunity in the world of showing his zeal for the people of Dublin by relinquishing office in order to serve them. Whatever might be the result of the present motion, the case was so gross that he was confident Mr. Ellis would not sit long in that House and hold his office of master in Chancery.

Mr. *Brownlow* expressed a hope, that the feeling of the House would be against the proposition, which in his opinion was not only a cruel proceeding towards an individual, but placed the Crown in an embarrassing situation. Last session this attempt was made in a clause introduced into the Chancery bill, which was stopped by those who stood between the king and the people. After that clause had been thrown out of the bill by the advisers of the king, how could they vote an address to his majesty to do what his advisers had refused to do? There was no pretence for the proposition. They might as well attempt to disqualify the right hon. and learned gentleman who recently astounded and bewildered the House upon the Catholic question. Mr. Ellis had proved that the duties of the office were not neglected, and the House had nothing to do with the transaction.

Lord *Castlereagh* said, he should propose to consider, first, what was the general impression with respect to the course which ought to be pursued with the duties of Irish masters in Chancery; secondly, what was the case applicable to Mr. Ellis; and thirdly, what was the situation of the House with respect to the sentiments of the individual who had the honour to address them? This question was brought before the House on a former day, by the proposition of a right hon. baronet for instructing a committee to regulate the office of master in Chancery. The House came to a decision, the effect of which was, that the proposition should not affect the present situation of any individual. He had supported it for reasons which he stated to the House: but the question was, what was the view of the majority? They came to a decision, and sent the bill to the other House for its concurrence. He had concurred in sending the bill to the upper House, but he never considered that in the event of the Lords rejecting the clause, he was bound to support an address which the House of Lords precluded him from supporting. He put it to the House, whether the ministers of the Crown could do by an address, what they could not do by a bill? He could assure the House, that such an idea never entered his mind. Objections were made to the proceeding by bill; and he had said, that if such an address was voted, any minister might advise the Crown not to reject it; but he never gave any opinion on the question then before the House. He acknowledged that it was a great incongruity that a judicial servant of the Crown in Ireland, should be also a member of that House. He had always felt this to be a difficult part of the case in coming to a decision with respect to Mr. Ellis; but he never could agree to any retrospective application of any legislative act on the subject. He certainly had been induced to agree with the majority of that House on a former occasion, but he had had an opportunity of considering the matter again, and many circumstances had since come out, which he did not know at that time. He found that it was contrary to parliamentary practice, and therefore to parliamentary principle, to make retrospective laws in similar cases; and he did therefore think that the hon. and learned gentleman opposite called upon the House to adopt a strong case. It was a harsher proceeding against Mr. Ellis than he had contemplated at the time he gave his support to the bill which passed that House last session. One of the delicate circumstances attending the case of Mr. Ellis was, that he had been permitted to purchase the office of master in chancery, and had not the power to sell it again. If therefore an address was to be presented to the Crown to displace Mr. Ellis, it would be a great personal hardship; for if he was deprived of his office he would lose a lucrative situation, with the positive loss of 9 or 10,000*l.* which he had given for it. Mr. Ellis had told them, that he could not, consistently with the duty to his family, give up a lucrative employment, nor, with his duty to the citizens of Dublin, vacate the seat which they had placed him in. With respect to a master of chancery sitting in that House, he agreed with the learned doctor, that he did not see that incompatibility in an English master of chancery so doing; but the case was widely altered with an Irish master of chancery. He would farther say, that if parliament had foreseen the possibility of such an event taking place, it would have provided against it in the bill of 1803. The idea of a judge of Ireland taking a seat in that House, was abhorrent from the judicial character. Although it might be proper to remedy the omission, he did not think they ought to take this individual case. It was said that it was necessary to have professional gentlemen in that House. He was of that opinion, but he thought there was sufficient talent in the lower branches of the profession to render it unnecessary to go to the judicial ranks. If a bill were brought in to disqualify Irish masters in chancery and judicial characters from occupying seats in that House hereafter, he would give it his best support. This would affect Mr. Ellis in the next parliament; but he thought it would be a great practical hardship to adopt the present motion.

Mr. *Plunkett* warmly supported the motion. He said, he entertained a high respect for the integrity and learning of his hon. friend; but he thought that if he retired from parliament, neither himself nor his constituents would suffer a very grievous calamity. The right hon. gentleman had denied the incompatibility of the two offices, because they were not enumerated in the act of 1803. The object, however, of that act was, to exclude those who were under the control of the Crown, and had no reference to the incompatibility of the offices which it interdicted, being held in common with a seat in that House. With respect to the incompatibility of the two offices, it appeared to him that the situation of master in chancery in Ireland, was one of the last which ought to make a man wish for a seat in that House, or which was compatible with it. This would appear obvious, when it was considered, that he had to decide upon cases without appeal from his *dictum;* as regarded matters of fact at least; for the high court of chancery never interfered with the statements of the facts of a case made by the master. There were besides many points of law, and matters which depended purely upon discretion; such as the taxing of costs for instance. It was stated in answer to this objection, that the masters in the Irish court of chancery took their duty in rotation; but it should be borne in mind, that after a master had once possession of a cause, he must follow it from beginning to end. It followed, therefore, that if the master was removed, the causes must stand still. In taxing costs, for instance, if three-fourths of a bill were gone through, the parties could not go on, if the master was absent. In short, it was impossible, but great public inconvenience must accrue from an Irish master in chancery holding a seat in that House. It was urged, that if this motion were carried, and the address complied with, it would have the effect of an *ex post facto* law. He would take the liberty of stating to the House his notion of an *ex post facto* law, in which view he did not look upon this to be one. If an act were done which was improper and impolitic, but which the legislature had not at the time of its commission touched or marked as an offence, he considered that were the legislature to inflict punishments for that act, that law would be *ex post facto.* But, if it merely adjudged the act to be an offence, and constrained the party who had committed it from continuing so to commit it, it would not, in his opinion, then be an *ex post facto* law. With respect to Mr. Ellis then, the case was, he had accepted two offices incompatible with each other, and it was not proposed to punish him for having so done, but to restrain him from continuing to be guilty of the mischief which must be the consequence of it. It was with reluctance that he felt himself obliged to vote for the motion before the House; but he felt that his respected friend had taken upon himself what he was not able to perform.

The House divided: Ayes 52: Noes 112; Majority against the motion 60.

HOUSE OF COMMONS,

Tuesday, March 6.

State of the Revenue—Repeal of House and Window Duties.] Mr. *Maberly* rose, pursuant to notice, for the purpose of calling the attention of the House to a comparative statement of our Revenue and Expenditure. The object which he had in view, was to lay before the House such an exposition of the present financial embarrassments, and of those permanent demands for which the country must provide, as to induce them to agree with him in voting for a Repeal of the Tax on Houses and Windows. He should have been extremely sorry to trespass on their attention for any length of time unless he was prepared to submit to them some practical remedy, a real and a better substitute for what he was proposing to remove. That substitute might be designated under the general name of economy—an economy which it appeared to him was reducible to effect, by a difference in the present scale of our taxation. The amount of that reduction by the measure which he should recommend was between two and three millions. If he should satisfy the House, from documents printed under its own authority, that such and such results flowed from these authoritative data, then it would be for ministers to say whether they would form the scale of their financial administration upon them, or cede the direction of affairs to others who would not object to give the benefit of them to the country. His first view of the revenue and expenditure of the nation would be drawn from a reference to the amount of its public funded and unfunded debt, or to the state of national credit, and the amount of the public burthens. These he regarded as of a fixed nature, and which were not to be made a subject of diminution. As the debt had been contracted by open competion, they were bound to preserve the national faith inviolate, and to discharge their bond whatever might be the hardship. Utter bankruptcy and distress could alone justify them in departing from it. But if they would do so, their only resource, the only means of avoiding a disreputable and destructive bankruptcy, lay in economy. Nothing but that could enable us long to maintain our own faith inviolate; because, if the distress increased in urgency, it must ultimately be relieved, and parliament would have to provide for the emergency under heavier difficulties and impaired resources. He fully believed that the agriculturists were now paying taxes out of their capital, but so it was in a greater or less degree with the other classes. The noble lord opposite need not fear that it was his intention to go at present into any inquiry relative to the question, whether our finances had been hitherto managed in the best possible manner: that was not the matter in debate: but that, by practicable economy, our financial circumstances might be greatly improved, was a position which it would not be easy for any ingenuity to controvert. It was an immediate and certain mode of relieving the distresses of the people. Before they could, however, be properly enabled to take any general view on this part of the subject, it would be important to advert to the actual state of our finances, not only now, but at some former period. It would appear that, in the year 1792, the expense of the war which preceded that period, differed so much from that entailed upon us by the late war, that Mr. Pitt then thought himself justified in fixing our establishments on a scale that had no reference to a war expenditure. He then began actually to relieve the country from a part of the debt contracted during the war.—He would now state the revenue and expenditure of 1792. He would in the first place, however, submit to the House a statement of the Ways and Means, as compared with the supplies for the year 1820, chiefly for the purpose of showing how easy it was, to furnish such an account as should at once convey a clear view of the whole subject. The Supplies were estimated at—

Army	£9,422,000
Navy	6,586,700
Ordnance	1,204,600
Miscellaneous Services	2,100,000
	£19,313,300
Sinking Fund on Exchequer Bills	410,000
Interest on Exchequer Bills	1,000,000
	£20,723,300

Let them now look at the Income and Charge, and then at the Ways and Means of the same year. The Income from the 5th Jan. 1820, to the 5th Jan. 1821, was 46,120,578*l.* 1*s.* 10½*d.* The Charge was 46,549,905*l.* 18*s.* 5¼*d.* leaving a Deficiency of 429,327*l.* 16*s.* 0¾*d.* To meet these charges the following Ways and Means were provided :—

Annual Malt Duty	£3,000,000
Excise Duties	2,500,000
Lottery	240,000
Old Stores	260,000
	£6,000,000
Deficiency of Ways and Means to meet Supplies voted ..	£14,723,300

Here, then, was a nett revenue of six millions to meet an expenditure of twenty millions. Now, it was to be observed here, that the nominal amount of the Sinking Fund was 16,864,763*l.*, which, together with that of Ireland, 646,000*l.*, made up a total of 17,510,763*l.* Deduct from this the deficiency of revenue, and the only real Sinking Fund would be seen to amount to 2,558,135*l.* for the year 1820. Now, although the chancellor of the exchequer should dispute the correctness of some of these accounts, the document itself would still show with what ease and simplicity such a statement might be made out.

He should now proceed with his second statement, which related immediately to the civil and military government of the country.

Army, as estimated for 1820	£9,422,000
Navy, ditto	6,586,700
Ordnance, ditto	1,204,600
Miscellaneous, ditto	2,100,000
	£19,313,300

	£.	s.	d.
Ordnance Old Stores, as they are deducted from Estimate improperly, the Estimate would be this amount in addition	285,000	0	0
*Civil List—Courts of Justice, Mint, Salaries and Allowances, Commissioners Public Accounts, Commissioners West India Accounts, Pensions for 1820, about	1,800,000	0	0
Civil List, &c. &c. on Consolidated Fund of Ireland, estimated the same as preceding year, because Accounts for 1820 are not yet delivered	576,215,	13	4
Quarantine & other charges, Irish Packet Establishment, estimated as before	114,463,	17	7½
Collection of Revenue of the United Kingdom, estimated as before, nett revenue	4,226,735	2	11½
Militia, Deserters' Warrants, &c. paid out of gross Revenue, estimated as before	133.911	0	0½
Pensions, ditto	36,815	19	4¾
Expenses incurred in securing and improving Woods and Forests, paid out of gross Revenue, estimated as before	96,674	15	10
Civil Administration of Scotland, nett Revenue, estimated as before	194,006	7	7½
Payments made in Ireland on account of half-pay in Great Britain, estimated as before	97,174	3	9¼
	£26,874,297	0	7

Memoranda—Additional Payments.

Re-payments out of gross Revenue for Discounts, Drawbacks, Bounties, &c. &c. estimated as before	3,726,715	16	1¼
Bounties for promoting Fisheries, Linen Manufactures, &c, &c.	308,849	15	6½
	£4,035,565	11	7¾

Less in 1820 *than in* 1819, *about*

*Irish Life Annuities	37,471	0	0				
Russian Dutch Loan	120,000	0	0	—	157,471	0	0
Total Expense for the Civil and Military Government of Great Britain and Ireland for the year 1820					26,716,826	0	7

He came, then, to refer to the establishment of 1792. In that year Mr. Pitt made an estimate of income and expenditure, including permanent and annual duties upon an average of four years preceding. The income he estimated at 16,212,000*l.*, and took the expenditure in this form:—

Supplies	£4,128,000
Interest and management of funded debt	9,325,866
Civil list and charges on consolidated fund	1,065,134
Reduction of debt	1,200,000
	£15,719,000

Leaving a balance of 493,000*l.* for the further reduction of the debt. He might here observe, that in estimating the amount of outstanding debt, it always appeared much less than it actually was. When he found it called 31,000,000*l.* at present, he should say that he considered it rather as 46,000,000*l.* It might be the one on the 4th of January, and the other on the 5th, when the dividends were paid. This was therefore an omission, as it left unknown the actual amount of the whole interest payable, and of course the whole amount of the charge. An account of the change which this year took place in the Sinking Fund was also omitted. The funded debt of Great Britain was now 801,500,600*l.*

He was now come to the fourth division, namely the expense of the Civil and Military Government in 1792. Ireland was then certainly a separate kingdom from England, but in order to make his analogy hold good, he should be obliged to treat her as if united to this country in 1792.

Army	£1,474,000	
Do. Extraordinaries	277,000	£
		1,751,000
Navy, for 16,000 Seamen	832,000	
Do.—Ordinary	672,000	
Do.—Extraordinaries	350,000	
		1,854,000
Ordnance, Ordinary	221,000	
Do.—Extraordinary	157,000	
		378,000
Miscellaneous — For Colonies and Plantations	31,000	
Other Services	114,000	
		145,000
Total of Supplies voted Feb. 1792		4,128,000
Civil List, and sundry Charges on the Consolidated Fund		1,065,134
Estimate of the whole Expense and Charge of Ireland, it being then a separate Kingdom, viz.		
The Military and Civil Government, Management of Revenue, &c. &c. not including Interest of National Debt, about		1,200,000
Collection of Revenue of Great Britain, estimated at Six Guineas per Cent on £16,212,000		1,021,356
Estimate of various Sums paid out of the Gross Revenue		300,000
Total		£7,714,490

The following is a comparison of the Expense of Governing the Country in the years

1792.

Army	£1,751,000
Navy	1,854,000
Ordnance	378,000
Miscellaneous	145,000
	£4,128,000

	£.	s.	d.
Estimate of the whole Expense and Charge of Ireland, it being then a separate Kingdom	1,200,000	0	0
Collection of Revenue of Great Britain, estimated at £16,212,000, at Six Guineas per Cent	1,021,356	0	0
Civil List and sundry Charges on the Consolidated Fund	1,065,134	0	0
Estimate of various Sums paid out of gross Revenue	300,000	0	0
Total Charge of Governing, 1792	£7,714,490	0	0

1820.

Army	£9,422,000
Navy	6,586,700
Ordnance	1,204,600
Miscellaneous	2,100,000
	£19,313,300

	£.	s.	d.
Ordnance Old Stores	285,000	0	0
Civil List, &c. &c. on Consolidated Fund of Ireland	576,215	13	4
Collection of Revenue of the United Kingdom	4,226,735	2	11½
Civil List, Courts of Justice, Salaries, Commissioners, &c. &c. for the year 1820	1,800,000	0	0
Quarantine and other Charges, Irish Packet Establishment	114,463	17	7½
Militia Deserters' Warrants, &c. &c. paid out of gross Revenue	133,911,	0	0½
Civil Administration of Scotland	194,006	7	7¼
Pensions ditto	36,815	19	4¾
Expenses of Improving Woods and Forests, paid out of gross Revenue	96,674	15	10
Payments made in Ireland, on account of half-pay in Great Britain	97,174	3	9¼
Total Charge of Governing, 1820	£26,874,297	0	7

Our whole charge, therefore, was now 26,874,297*l.*, whilst in 1792 it was only 7,714,490*l.* What he would ask the House, could justify an increased charge of 19,159,807*l.* Perhaps he should be told that other expenses had grown up—that our establishments had increased—but how was he to account for so enormous a difference in expense between the two periods as 19,159,807*l.*? He knew that recent circumstances had called for the increase of military establishments; he admitted when they were once in existence, it was hard to bring them down; but was that a reason, when the people were so much distressed, that some reduction should not be made in them? If ministers would keep faith with the public creditor—if they would preserve tranquillity at home, or put themselves in a condition, if necessary, again to go to war—now was the time to prepare themselves for it. A season of peace was the time to prepare for activity, and the first step towards that was to retrench in every possible way. Had not the per centage on the collection of the Revenue reached a height which was absolutely unreasonable? For what was the fact? In England the collection of the Customs cost 13 per cent; in Ireland 23 per cent averaging 14*l.* 10*s.* 9*d.* in the hundred for the United Kingdom. In the collection of these Customs were many unnecessary expenses, which might be well dispensed with. In 1792, the Customs cost but 4*l.* 19*s.* 6*d.* in England, something more in Ireland, and upon an average about 5*l.* 11*s.* for both countries. The rate of per centage in the collection of these duties ought to be reduced, and a great saving would be effected thereby. He was aware that a committee of that House had been appointed to inquire into that subject; but he thought they had not done enough. It was absurd, when the produce of the Customs themselves had been diminished, to employ still the same expense in collecting them. The Customs had greatly decreased, without taking into account the one million which was transferred from them to the Excise. He would rather see the committee appointed by this House than by the Crown. He had no doubt but its operations would be very different.

He now came to the sixth view of the question. A committee of finance had been appointed by the House, which made its report in 1817, upon the amount of the charges which they thought would be required for the government of the country in the year 1818. That report stated to the country that the estimates for the civil and military government of the country for the said year amounted to

Army	£8,500,000
Navy	6,000,000
Ordnance . . .	1,150,000
Miscellaneous .	1,700,000
Total	£17,350,000

He apprehended that when that report was made, the commissioners had in view all that was necessary for the security and honour of the country. He was aware that the right hon. gentleman might say, "Oh, but we guarded ourselves by saying, Your committee are aware that there are expenses not included in the estimate for the present year, which must occur, if not in the next, some of them certainly, and others probably, in future years: such as the charge of embodying and training the regular militia in the army estimates, and the grants for augmenting small livings, and for building churches, which have been postponed in the miscellaneous services of the present year." So they did; but they added these words: "they are induced to hope that reductions under other heads of our establishment, equivalent to these expenses will be effected by the vigilant economy of the government; and they therefore make no allowance for them in these statements." After this report was made in 1817, the right hon. gentleman came down in 1820 with other estimates, amounting to 19,313,300*l.*, being a difference over and above the report of the commissioners of 1,963,300*l.* If the original estimates had been adhered to, the petitioners who had applied to the House for relief, would not have felt so great a portion of distress. The government ought to have kept within those estimates, because the prices of general produce were 25 per cent lower in 1820 than in 1817; and it could not be conceived that the commissioners had made their report without taking the existing prices into view. Under these circumstances, he thought in fairness and in candour, that instead of 17,000,000*l.*, the charges for the government of the country last year ought to have been under 16,000,000*l.* And if a reduction of two per cent had been effected in the collection of the revenue, a saving of another million would have thence accrued. The House would allow him to put the subject in another way, namely, as to how the taxes bore upon the general income of the country. During the existence of the property tax, the income of the country amounted to about 150,000,000*l.* He was aware that it was reduced since that period, and he would assume that it was now 120,000,000*l.* He would take out the bearing of the taxes from that income, speaking in round numbers, at 45½ per cent. Then the bearing of the expenses of the civil and military government was as 22½ per cent, and that of the interest of the national debt as 23 per cent. Now, upon the latter no reduction could be made; the relief to be afforded must be out of the 22½ per cent upon the expenses of the government. After the debate which was expected to-morrow, no member, however unacquainted with agriculture, would, he was sure, remain doubtful of the unparalleled distress of that interest. It was true that the consumer paid the general taxes, but he admitted that that was not the case in agriculture. He admitted it, because he knew that the price of the bushel of corn was the same in 1790 that it was in 1820. Agriculture was, therefore, placed in the situation of being obliged to sell its corn at a low price, and yet at the same time bear all the great increase of direct and indirect taxation of late years affecting it, with the advance of rent also incurred within the last thirty years; so that agriculture had now to pay the whole accumulation of burthens imposed upon it since 1792 out of its capital. That he thought could not be denied. He knew it to be true in the county in which he chiefly resided; for there the agriculturist could not pay his rates and taxes except out of his capital. If it was in vain to attempt to afford any relief to one class by an advance of price, without repressing another, he could see no relief for the community, except the government were conducted upon principles of the most rigid economy. He was one of those who was ready to support the public credit at all hazards: that was a national bond to which they were bound to adhere, and the faith of which nothing short of a convulsion ought to shake. He had heard with great regret certain opinions now and then dropped in that House, which went to tolerate an interference with the national faith; but he totally dissented from such opinions. He thought it a much better security for the fundholder to have the people satisfied, than to have an additional million added to the Sinking Fund. In delivering these sentiments he was actuated by no private feeling, for he would not in the event of any change in administration seek office; he had, therefore, no personal interest in the result, and was alone induced to take the step he had taken by a sense of public duty. He had heard a rumour that a retrenchment to the amount of one million was likely to be effected. He thought that insufficient, and was of opinion, that if the present administration could not conduct the affairs of the country at a more economical rate, they ought to resign their places to competent successors, who were ready with every regard to the public security, to do the business of the nation upon more advantageous terms for the people. He saw around him many agricultural gentlemen, whose votes he was entitled to expect, if they were sincere in the wishes they expressed for public relief. He hoped also to have the votes of such members as sincerely desired to conciliate the people. He hoped, alike, to have the support of the advocates for maintaining inviolable the public faith. He concluded by apologizing to the House for the time he had occupied in making his statement, and by assuring them that his sole object was the promotion of the public good. He then moved his first Resolution; viz,

"That the finance committee appointed by this House, having stated in its fourth report, dated 5th June 1817, that it had estimated the amount of Supplies:

For the Army, at	£8,500,000
Navy	6,000,000
Ordnance	1,150,000
Miscellaneous services	1,700,000
Making a total of	£.17,350,000

for the year 1818; and that the supplies voted for the same services in the year 1820, having exceeded that estimate by 1,963,300*l.*, it is expedient, that the supplies for 1821 should not exceed the estimate of the said Committee."

It was his intention to follow up the resolution by a motion for a reduction of 50 per cent upon all duties on inhabited houses and windows, from and after the 5th of January next; thus giving a year's intervention before the change could operate.

The *Chancellor of the Exchequer* said, it appeared to him extraordinary that the hon. gentleman should have closed his elaborate observations by proposing a reduction in duties upon which he had not in the very ample details he had given of the general taxation of the country—details, many of which might be spared, and to which, indeed, he was not prepared to reply, in the absence of those official documents which were calculated to elucidate such parts of the public accounts. Had he thought the hon. gentleman meant to go into so wide a detail, he certainly would have been prepared with returns explanatory of every part of so comprehensive a subject. The hon. gentleman had grounded his speech upon comparisons between the estimates for the public expenditure at different periods; and he rested his main arguments upon the obvious reduction which he thought ought to take place in the public expenditure, on account of the different circumstances in which the country was placed at the several periods which he assumed for the purposes of establishing his economical principle. He had set out with a comparison of the expenditure between the last year and the year 1792. It would be remembered that the expenditure of the year 1792 was the very lowest which had been estimated since the period of the American war. Indeed, so low had it been framed at the beginning of the year, that before the close of it Mr. Pitt found the estimate insufficient, and a larger sum became necessary; so that, in point of fact, the original estimate of 1792 had been never realized; for an augmentation took place at the close of that year. He admitted, that at the close of the year some increased precautionary measures were deemed desirable, and also some preparations for armaments were considered proper. The hon. member had estimated the total for the year 1792 at 7,714,000*l.*, and those for last year at 19,313,300*l.*; and he had talked of the enormous difference which was apparent in the expense of collecting the revenue of the country at the two periods he had assumed avoiding, when he adverted to the circumstance, to state, that the great difference between the amount of collecting the revenues at the two periods was necessarily occasioned by the great augmentation of the amount to be collected at one of them over and above that of the other. Besides, the hon. gentleman's comparative calculation was founded upon a fallacy; for he ought to have seen that, before the data on which he made his comparison could be correct, he should have struck out from the last year's estimates that part of the expenditure which was created by the war; for instance, there was an increase on that account of upwards of 5,000,000*l.* upon the pension list, and 500,000*l.* more or thereabouts, under similar heads, created in the same manner. When these indispensable deductions were made it was true there would remain an expenditure about double the amount of that estimated in 1792. He had already explained the impracticable reduction attempted in the estimates of that year. When he had to account for the excess since that period, need he remind the hon. gentleman that there were nineteen addditional colonies to be defended now more than there were in 1792, and of course an increased charge at home, arising out of colonial casualties? It was quite impossible to undertake the management of public affairs at so low an estimate as that attempted to be acted upon in 1792. The hon. gentleman should in point of correctness have withheld his motion for a few days, until the army and other estimates came regularly before the House, and then he could have shown more accurately the details upon which he depended. Indeed, he had begun at the wrong end; for he had assumed an expenditure as fixed where it was uncertain, and that a reduction could be made, without proving in what manner it could be realized consistently with the public service. The hon. gentleman had altogether overlooked the accumulated charge which had become fixed and imperative by the half-pay and pension list, which as well as the increase of the public debt, formed the price which the public had to pay for the glories of Trafalgar and Waterloo, and for having been placed in the high attitude of being the liberator of Europe, and acquiring fresh renown for the national character. With respect to what the hon. member had said about the reduction of prices, the best answer to that would be found in the nature of the public expenditure. The pension-list could not be increased nor diminished according to the price of subsistence; and other allowances equally fixed in their nature must remain at the same rate, independent of accidental fluctuations in prices. The hon. gentleman had adverted to what he termed a rumour, that in the next year a saving of about a million was likely to take place in the general public expenditure of the country. He was happy to have it in his power to verify this rumour, and he had the satisfaction to state, that the House would perceive, when the estimates for 1821 were laid before them, that the reduction in the estimates for the public expenditure of 1821 as compared with that of 1820, would amount to considerably more than 1,000,000*l.* sterling. That was, that the public expenditure for

1821 would be much more than, 1,000,000*l.* less than the expenditure of the year 1820; and when these details were before the House, he trusted it would be seen that where the estimates did not accord with those of 1817, satisfactory reasons would be assigned for the alteration. The hon. gentleman had made a material error when he assumed that the produce of between 14,000,000*l.* and 15,000,000*l.* property tax had been estimated or collected from a national income of 150 millions. In that he was entirely mistaken, for the returns upon which the amount of that tax had been assessed exceeded an income of 200 millions which must still have fallen considerably short of the whole income of the country; for it would be recollected, that the income tax was a charge which did not comprehend that portion of the national income which arose out of labour—a portion always considerable in every country; and they should also recollect, that the income of Ireland was not charged at all with the property tax. He coincided entirely with the hon. gentleman, that faith with the public creditor ought to be inviolably upheld; and, in his judgment, the measure which would most conduce to the relief of the agricultural and other interests of the country, would be that which should most promote the circulation of capital throughout the country. As to the taxes which the hon. gentleman proposed to reduce, he seemed to be sensible of their importance, when, instead of a total repeal, he proposed merely a reduction of one half. Why was this particular tax selected? He admitted it to be a considerable burthen, and to press on a very large proportion of the community. It was the chief ready money tax upon which the government had to rely. Upon the agricultural interests it was far from pressing in such a degree as could be deemed severe. There was no important tax which bore less upon that portion of the community; few, if any of the practical and lower agriculturalists in fact paid it. It was a tax, however, most important to the revenue, the produce being no less than 3,600,000*l.* So aware, indeed, was the hon. gentleman himself of its importance, that he proposed to take off only part of it. Undoubtedly, that would afford considerable relief to many persons; but that relief would not be at all in proportion to the public injury. As to the diminution of the expense of collecting, the fact was, that the collection of half the sum would not cost much less than the collection of the whole. Of all the taxes this was the most economically collected. A larger portion of it came to the public treasury than of any other. It ought likewise to be considered, that a considerable proportion of it was paid by the higher classes, serving as a sort of compensation for the property tax. If it were taken off, there would hardly be any great ready money tax. Many of the observations made by the hon. gentleman on the charge of collecting the revenue were fallacious. At the same time, he did not deny that some reduction might be made in the expense of collection. He could assure the House that the utmost pains were now taking to reduce the expense of collecting the revenue in all its branches. Already, in the management of the Customs, a saving of 130,000*l.* a year had been effected; and farther reductions were in progress. The hon. gentleman had said, that if the present government were not prepared to conduct the affairs of the country upon a lower scale, they ought to give way to others of more diligence, intelligence, and economy, who would undertake the task upon cheaper terms. For his own part, he could not consent to retain his office upon the estimate of 1792. That others might undertake it on those, or indeed any other terms, he was not prepared to deny. Political charlatans would never be wanting for supplying offices in this country upon any terms, high or low. He had no doubt that when the hon. gentleman put up the seals of office at his Dutch auction, he would get bidders enough to do the duties. Such persons as Hunt and Carlile would be found ready enough to fill them on much cheaper terms than the Whigs. However, there would be future occasions, when the estimates would be before the House, and when the hon. gentleman might, with more advantage, propose any reduction of taxes that he might think advisable. On this subject, however, he thought himself entitled to congratulate the House on the view which the hon. gentleman had taken of the state of our finances. Hitherto, nothing had been talked of, but the deficiencies of our revenue; now, it seemed, that the revenue, with some economy, would so greatly exceed the expenditure, as to allow of a considerable reduction of taxes. He had often been accused of painting too flattering a picture of the state of the country. He did not, however, go so far as the hon. gentleman. He did not think that, even if the expenditure were reduced in conformity to the hon. gentleman's proposition, such an amount of taxes could be taken off as the hon. gentleman wished for. In our present situation, it would require more than the experience of one year to determine that fact. For his part, he thought that the maintenance of the public credit would be a much more effectual mode of relieving the general distress; and thus thinking, he should move the previous question on the hon. gentleman's proposition.

Mr. *Calcraft*, adverting to the pleasant observations of the right hon. gentleman on a change of administration, observed, that the right hon. gentleman told the House, that whenever he and his colleagues were of opinion that another administration were capable of managing the affairs of the country with more advantage, and with greater public confidence, they would give up their places. If the country were to wait until the gentlemen opposite entertained that opinion, it would wait until the right hon. gentleman grew old indeed in office. The right hon. gentleman also said, that there were political charlatans who would outbid one another, as at a Dutch auction, to manage the affairs of the country. He did not know if the right hon. gentleman meant to include his hon. friend in that assertion; but he concluded it by saying, that there were those who would undertake to manage those affairs cheaper than the Whigs. Now he should like to know how long it was, since the right hon. gentleman had learned to talk so contemptuously of the Whigs. He recollected the day when the right hon. gentleman was a very active and industrious and able secretary under the administration of the Whigs. He had had repeated communications with the right hon. gentleman at that period, and he had never heard him complain of his masters. He had no doubt that at that time the right hon. gentleman would also have said, "whenever we find any persons capable of forming an administration more advantageous to the country, we, the Whigs will resign." As, however, he could not equal the right hon. gentleman in joking, and indeed as he thought the subject too important for laughter, he would commence his observations by returning his thanks to his hon. friend for the clear and perspicuous manner in which he had brought forward this complicated subject. By the statement of his hon. friend it distinctly appeared, that in 1792, the management of the civil and military affairs of the country cost somewhat above 7 millions, and that in 1820 it cost above 26 millions. That was the point to be considered. To that the House must exclusively address themselves; for he perfectly agreed with his hon. friend, that the other part of the burthens of the country must not be touched: they were sacred; it was impossible to think of meddling with any thing which affected the public creditor. After objecting without reason to the form of the notice of the motion, the right hon. gentleman had complained of the comparison with the year 1792, alleging, that the establishments were then below what the safety of the state required, and that they had been increased by Mr. Pitt. True: but why were they increased? Not because they were inadequate for peace, but because there was every appearance of an approaching war. When subjects of this kind were first started after the peace of 1815, the colleagues of Mr. Pitt had started from this point, that ministers were bound to account for every shilling of expenditure beyond the charge in 1792. He did not mean in any way to dispute the propriety of the pension list, amounting to 4,500,000*l.*, which was an addition since 1792. He held that it ought to be considered as sacred as the rights of the public creditor; and he would admit also, that our new colonies required an increased expenditure. But then, said the chancellor of the exchequer, "when you talk of reductions, you choose the wrong time and the wrong mode: you begin at the wrong end." This was always the answer: the proper time never arrived, the proper mode never was adopted, and the proper end was never discovered. Yet, what were the right hon. gentleman's time and mode? Which was his right end, and which was his wrong end? He was never to be disturbed in his sublime operations of arithmetic; and when any motion was made on the subject of finance, he satisfied himself with coming down and exclaiming "What are you doing? why do you interfere? I am going to save more than a million; only wait till my estimates come down, and you will be gratified and the nation happy!" This might be true; he might be about to save 1,000,000*l.*; but let it be remembered that he had added two, and by special grace and favour was about to let 1,000,000*l.* still continue added to the burthens of the people. The king's Speech had announced a reduction of the army; but when the reduction was talked of, ought the increase to be forgotten? Yet, because 10,000 men, added a short time ago were now to be disbanded, the right hon. gentleman cried "a truce with your constitutional fears. I am going to relieve you from the weight of 10,000 men; do not listen to the political charlatans, who tell you that you ought never to have been required to pay for them at all." It was said that people could now live 20 or 30 per cent cheaper than formerly: if so, why were not the expences of government reduced in the same proportion? The right hon. gentleman had accused the introducer of this motion of under-estimating the income of the country, by not taking into account the income of labour. He would like to know how the chancellor of the exchequer distinguished the income of any man from the income of labour: if he taxed a man's income, he taxed the income of labour, for by labour the income was created. Next, he had accused the people of being unreasonable, reminding them that they were as well off as they were during the war. Was it too much, then, in time of peace to expect a reduction of taxation? It was a most extraordinary source of congratulation, certainly, that people were just as poor, just as heavily taxed, as during the extravagant expenditure of a long war. It had been proved, beyond contradiction, that every man of 1,000*l.* a-year spent upon himself only 550*l.*, and paid into the Exchequer 450*l.* Was it not worth inquiry how it happened that every man was obliged to sacrifice nine-twentieths of his property. The chancellor of the exchequer had said, that some taxes might be repealed, but had pointed out none; and when he (Mr. C.) had endeavoured to remove the unjust and grievous imposts upon salt, he was, as usual, told that he had chosen the wrong time and mode, and had begun at the wrong end. The right hon. gentleman had lent him no friendly assistance, though it had been shown that every quantity of salt, the prime cost of which was 100*l.* paid in taxation no less than 3,000*l.* Mr. Burke had once congratulated the people of England that their salt was not taxed like that of France; but had he lived to this day, he would have seen that it was taxed in a manner unequalled in the annals, not of France, but of Turkey, or any the most despotic monarchy. The propositions of the hon. mover were many of them self-evident. He (Mr. C.) had been a member of the finance committee, and it was well known that every statement there adopted came from the Treasury; the 17,300,000*l.* was therefore the sum for which ministers themselves proposed to manage the country; yet, in two years, they had exceeded it by 2,000,000*l.* This was an indisputable fact; yet so frightened was the chancellor of the exchequer at this monster of his own begetting, that he could not bear to see it stare him in the face on the Journals in the shape of a resolution. If any man was in earnest, and desired to carry a proposition, he must never mind at what time, in what mode, or at what end he began; he must take all times and modes, and not care about which end he seized, but persevere; and for this reason he was glad to find that the hon. member for Cumberland had given notice of a motion to repeal the agricultural horse tax, for he was satisfied, that if the hon. member persevered, he would sooner or later get his horses out of the trammels of taxation. Whatever might be the event of this proposition, the hon. mover had done a great service by bringing it forward, and making the country understand it. He said, that out of 26,000,000*l.* there ought to be such a reduction as would relieve the distressed population. The sufferings of the people were very considerable, and it was impossible that they should not feel the recent imposition of 3,000,000*l.* of taxes. When 1*s.* 2*d.* was added to 2*s.* 4*d.* on the bushel of malt, it was impossible it should not be felt by the agriculturists. In former times, these matters were seen in something like a statesman-like view; but now hardly such a thing as a statesman was to be found. The chancellor of the exchequer might promise the farmers an unlimited committee to-morrow: he might say, "Gentlemen, walk up stairs, and make the most extensive inquiries;" but unless they walked down again with a strong report, and a unanimous resolution to repeal some of the taxes oppressing the farmer, it would have been much better for them to have gone down to reside in quiet among their suffering tenantry. To go into a committee, and not to take off the Malt duty, would be a mockery. He was persuaded, that to agree to his hon. friend's motion, would be more serviceable to the country than any inquiry proposed by the noble lord and the right hon. gentleman, on whatever footing it might be placed. The right hon. gentleman had, it was true, said nothing against his hon. friend's motion; but then he would have a majority against it. To that majority he must bow; and he really wondered, that he, and those who thought with him, were ridiculous enough to stand up and lose their time and labour, when they knew they could not make any impression. He strongly suspected, however, that before the end of the session, the majority would be compelled to adopt some effectual method of relief in spite of the rhetoric of the right hon. gentleman, and his dread of political charlatans.

Mr. *Huskisson* did not think that with all the misrepresentations, founded, of course, in mistake of the hon. gentleman who spoke last, he had added much to the stock either of pleasantry or argument. His right hon. friend the chancellor of the exchequer, had fairly enough alluded to a Dutch auction; but it never could be expected that the government should be knocked down to the Whigs on the score of economy, even though the auctioneer might be honest enough to declare, that he himself would not bid for the article. Certainly the hon. mover had displayed great research and perspicuity; but he was not aware that there was any practical utility in referring back to the year 1792, and comparing the establishments then with the establishments now. In 1792, we were in the ninth year of peace, after a war of only seven years' duration; so that the situation of the country was widely different. But, independently of this fact, the hon. mover seemed to have forgotten, that the pay of the army, the navy, and the ordnance had since that date been greatly increased. The difference in the numbers at the two periods was also worthy of consideration. He contended that the hon. gentleman ought to have made the comparison, if at all, not with the last, but with the estimates of the present year, with all their reductions; and the comparison ought not to have been with the year 1792, but with 1817, when the report of the finance committee was made. For whatever sum the expenditure of the present year exceeded the estimates of that, ministers were bound to account; and they were prepared with the fullest and most satisfactory explanations. All other comparisons were only calculated to mislead the public mind. He would not follow the hon. mover through all his details; but he must remark on the subject of the collection of the revenue, that the charge for it included all the perquisites, fees, and emoluments paid by the public in 1792 in a different and less advantageous mode. The same remark would, in fact, apply to all the civil departments of government, for the expense included much more than mere salaries. In the department of the Post-office, the public, as it were, performed the whole by contract: in England the cost amounted to 30 per cent, and in Ireland to 60 or 70 per cent. As to the Woods and Forests, it was true that 96,000*l.* a year was charged for it; but it was material to know that the revenues of that department were appropriated to the completion of a great public work. Next, it was asserted that the consolidated fund, the security of the public creditor, was 400,000*l.* short according to the accounts of last year: yet, what was the proposal on the other side? To abolish the very taxes belonging to that fund, and by which it was to meet the permanent charges upon it. He gave the hon. member full credit for his admission of the inviolability of the national credit; but still he was surprised, that a man who understood the financial subjects of the country so well as he did, should have advanced such arguments as he had offered upon the present question. The taxes proposed to be taken off belonged to the consolidated fund; and it was as lately as last year that there was a loan of 20 millions. Certainly, if the hon. gentleman meant that we might borrow every year, he could very well understand him; but by so doing, we should only add to our difficulties. He however, contended, that we were not at liberty to take off taxes, unless we preserved the Sinking Fund. He admitted that the report of the committee of 1817, was a good criterion; and if the hon. gentleman had looked at all the reports, he would have found that the disembodied militia made a part of the annual estimate; but no report contemplated the permanent staff of the disembodied militia, which before had been provided out of the land-tax. He knew not whether it would be satisfactory to the hon. gentleman, but he was sure it would be to the House, when he stated his belief that the military expenditure of the present year would come within that of the year 1817. The next expense to be adverted to was that of the navy; and this was a branch of the expenditure at which the House was inclined to look with less jealousy than at any other. The whole charge was about 6,219,000*l.*, and in this sum was included the expenses of some permanent works at Sheerness, which it was important for the public service to complete with more than ordinary dispatch. There was every reason to believe that the expense in this branch for the next year would be less than six millions. —The next subject was the Ordnance. The sum stated was 1,150,000*l.* which was exclusive of the credit given for old stores; and he trusted that the expenses of this department would be brought within the estimated sum. So that it would be seen that upon all military subjects, which usually excited the jealousy of parliament, there was likely to be a diminution; and upon all others we had arrived at the maximum of expense, and were likely to see a diminution every year. With respect to the charges under the head Miscellaneous, it was generally found impossible to make any specific estimate. To show the uncertainty upon this subject, he would mention that in the last year a sum of 200,000*l.* was necessarily paid to Portuguese subjects, for losses sustained by captures in consequence of a misapprehension of our laws relating to the Slave Trade. On this head, however, he believed there would be no reason to apprehend any increase. Having gone through this subject in some little detail, he would only say, that he believed the total of the expense would come very nearly within the estimate of 1817. But the hon. gentleman had somewhat whimsically called for a reduction of taxes; and although the hon. member supported him, he did not agree in the specific tax to be reduced; for while one wanted the window tax to be taken off, the other was equally desirous on the subjects of salt, malt, and agricultural horses. The whole amount of these taxes was seven millions; and if the hon. gentleman opposite could take off those taxes, and carry on the government, the sooner they convinced the House of this the better. The members on his side of the House, would in that case most cheerfully resign their situations for the public benefit. He would ask the hon. gentleman whether, with a revenue of 60,000,000*l.*, and a debt of 800,000,000*l.*, a Sinking Fund of 2,500,000*l.* was one with which the country ought to be satisfied? Some addition ought to be made to it, by economy, if further economy were possible. [Cheers from the Opposition.] He understood those cheers; and he could only say, that when the estimates came to be considered, those with whom he acted would be ready to hear and attend to any suggestions for reducing the establishment; all they required was, that it should first be shown that further economy was practicable. He trusted that honourable gentlemen would apply themselves to this point, and would endeavour to prove in what way reductions could be made upon the estimates of 1817.

Mr. *Ricardo* reminded the right hon. gentleman, that the proposal of this night was not to reduce the Sinking Fund two millions, but to reduce the taxes to that amount; not by taking from the Sinking Fund, but by increased economy. The object was, to relieve the country from a part of the burdens under which it at present laboured. If, however, the motion had been to reduce the Sinking Fund, it should have met with no opposition from him. He considered it a delusion which was encouraged and made to amount to a certain sum, that ministers might be enabled finally to lay their hands upon it and devote it to purposes of unnecessary expenditure. Though the loan of last year amounted to 24,000,000*l.* there were 9,000,000*l.* of exchequer bills and 17,000,000*l.* of Sinking Fund, so that there was in fact a surplus of 2,000,000*l.* On the other side, it was asked whether it was intended to diminish the Consolidated Fund, which was the security to the public creditor? Yet ministers had been doing so year after year, until the deficiency amounted to 8,000,000*l.* Now, however, they were greatly alarmed at such a proposal, when in truth the object of the hon. mover was merely to reduce the expenditure. For the year ending the 5th of January, 1821, the Sinking Fund was estimated at 2,500,000*l.* He hoped it would turn out so; but his opinion undoubtedly was, that it would be considerably below that amount. It appeared to him that the diminution of the unfunded debt, between 5th January 1820, and 5th January 1821, amounted to very nearly 8,000,000*l.* while the Sinking Fund for the present year was 17,000,000*l.* making together 25,000,000*l.* This was in diminution of the debt; but, on the other hand, what had been added to it? The chancellor of the exchequer took a loan of 17,000,000*l.* and funded exchequer bills to the amount of 7,000,000*l.* so that an amount of stock equal to 24,000,000*l.* was added to the debt. Besides this there was a deficiency of the Consolidated Fund to the amount of 400,000*l.* Deducting therefore 24,400,000*l* debt, incurred from the 25,000,000*l.* debt reduced, 600,000*l.* was the only real decrease; and he could call nothing a Sinking Fund, but what operated a reduction of the national debt.

Mr. *Lushington* said, that the hon. gentleman had totally mistaken the substance of the propositions before the House, if he imagined that they did not tend to reduce the Sinking Fund. The taxes proposed to be repealed formed part of that income, the surplus of which above the expenditure constituted the Sinking Fund: and therefore the reduction of those taxes must, to that extent, diminish the Sinking Fund; and if the hon. member thought that fund a delusion now, his concurrence in the motions before the House would tend to make it more so. It would, in fact, reduce the four millions which the chancellor of the exchequer anticipated as the Sinking Fund to two millions, that being one half of the duties upon inhabited houses and windows which the hon. mover proposed to repeal. The first part of the hon. member's proposition for reducing the expenditure of 1821, to the amount limited by the finance committee in 1817, was quite unnecessary for the reasons so clearly detailed by his right hon. friends below him; and he should have no difficulty in shewing to the House, that if it were expedient to remit or reduce any of the taxes, the selection made by the hon. mover, was the worst that could have been chosen in the present state of agricultural distress; for the duty on inhabited houses was not paid at all by the farmer occupying as a tenant; and if he occupied as an owner, he was likewise exempt under the acts imposing that duty, unless the annual value and rent of his house exceeded 10*l.* As to the window tax, this was also chiefly paid by the great cities and towns, and fell with lighter pressure upon the agricultural classes, who would be much more relieved by the removal of many other taxes. But the real matter for consideration was, whether any taxes whatever could, in the present state of the Sinking Fund, be remitted, without great injury to the public credit. He was of opinion that they could not; and therefore he should oppose that part of the motion. The hon. member had stated, that the charges for collecting the revenue were greater now than they had been in 1792, and that they might be reduced 2 per cent. These were both great errors; for it appeared, upon a comparison of the ordinary revenues of Great Britain, exclusive of the Post-office, and small branches in the year 1820, with those of 1792, that the rate per cent. now was 5*l.* 19*s.*; whereas in 1792 it had been 6*l.* 5*s.*; a result attained only by constant endeavours to diminish the expenditure. This would, no doubt, be satisfactory to the House and to the country, considering that our system of rewarding the public servants since 1792 had been entirely changed, greatly to the increase of the charges of collection, but certainly to the benefit of the merchant, and the greater security of the revenue. Still, however, he had no hesitation in assuring the hon. mover that if he could really point out any practicable reduction, not dangerous to the security of the revenue, and not otherwise injurious to the public service, it would be most willingly received, and with every desire that it might be found fit to adopt.

Mr. *Ellice* said, that if he had come into the House with the determination of supporting the resolutions on the table, every thing which had passed in debate, and more particularly the speech of the right hon. the surveyor of Woods and Forests,—who admitted it was possible, and actually intended by government, to reduce the army and navy estimates to the amount recommended by the report of 1817—confirmed him in that opinion:—but when he was told, that in consequence of such intention, these resolutions were unnecessary, he would ask, why the reductions now proposed had not been made before the sixth year of peace?—or whether they could trust to the good faith of ministers to retrench, after the experience they had of their profusion and extravagance? We are now told in answer to our general propositions—point out the practical and precise mode of retrenchment; he would refer the right hon. gentleman to the order-book, where he would find a notice on an early day, for abolishing the county receiverships; would they engage to support that reform? It might be said, and possibly with some truth, that all the retrenchments which could be made, looking to the amount of pensions to the army and navy for their services during the late war, would be no very effectual relief to the distresses of the country; but if he admitted this, and that the enormous debt left by the useless and ruinous wars in which we had engaged, was the great evil under which the nation laboured—still that was no reply to the demands of the people that any practicable reduction should be made; and more particularly, looking, as they did, with extreme jealousy to the influence in that House, which the present administration, and indeed all who had preceded them, had been enabled to promote, by extravagant grants of money, and sinecure places, in the different branches of the collection of the revenue. He should vote for the second resolution of his hon. friend, because he thought the next relief to retrenchment in expense was the reduction of taxation—and because he considered, under the present circumstances of the country, it was both unwise and unnecessary to drain the pockets of the people, for the purpose of keeping up a sinking fund, to save the value of funded property. Then, as to this famous Sinking Fund—his hon. friend (the member for Portarlington) had stated it at 600,000*l.*—the right hon. gentleman the chancellor of the exchequer, at 1½ million. He was so sick of looking into the confused, and intentionally complicated accounts of the revenue, that he could not tell which of these statements was correct; but admitting—which was a wide admission, looking to the general result of his statements—that the right hon. gentleman was right, we might then calculate if the revenue kept up, also a wide admission, that beyond the excess of last year, if all we heard on the subject of reduction was true, there was to be a saving of a million, which would make the Sinking Fund be this year 2½ millions. If this was the case, he would then vote for taking off 2 millions of taxes, and if this was not done, he should be glad to hear what course the right hon. gentleman would pursue? The last time the Sinking Fund had been brought under the consideration of the House, new taxes had been most unjustly imposed, to raise the amount at which it was to be in future kept—at 5 millions. Notwithstanding these new taxes, it was now acknowledged the surplus was only 1½ million; still the delusion had been practised, of borrowing the difference, so as to apply the whole 5 millions to the redemption of stock; was this practice to continue? Were we, always supposing the calculations of the right hon. gentleman to be correct, with respect to the 2½ millions this year, to renew the other 2½ on exchequer bills; to purchase stock at 74, that we might have the satisfaction hereafter of funding these same exchequer bills at 64 or 65? Why not at once get rid of this useless and extensive machinery, by cancelling the debt which had been redeemed—reducing taxes to the amount proposed—and applying any surplus which might be received in the Exchequer, to the liquidation of what was called the arrears of the Consolidated Fund, a debt of near 9 millions? As the matter now stood, the creditor might, one of these days, be disappointed in the receipt of his dividends, by any caprice of the bank, or any false alarm, which might induce them to hesitate advancing the amount at the end of a quarter: was it right this should continue on the present unsatisfactory footing? The surplus revenue, if there should be any, might with great propriety be applied to this fund till it was relieved, and, by that time, we should have arrived at some more experience of the effects of the alteration in our currency, which had only as yet been partially felt, when a more satisfactory arrangement might be considered—with reference to our means—for the extinction of debt. At present, and more particularly looking to the agricultural petitions on the table, it was quite sufficient to undertake the payment of the dividends. As to the third resolution of his hon. friend, pointing out the house and window tax, as the particular taxes to be repealed, that might not be pressed. He would be perfectly satisfied to leave the selection of such taxes, as it would be most proper to repeal, to the gentlemen opposite, if they would consent to the two first resolutions; but he confessed their opposition to this particular tax, came but with a bad grace, after that to the agricultural horse tax last night, which it was acknowledged on all sides, would, to its extent at least, be some alleviation to that class of the people whose distresses most loudly called for consideration and relief.

Captain *Maberly* supported the resolution.

Mr. *J. Smith* supported the resolution. At the same time, he hesitated not to state his conviction that a reduction of the tax on salt would, of all reductions, be the least injurious to the revenue, and the most beneficial to the community. He believed there were calculations to show that if this tax were done away with altogether, other branches of the revenue would be considerably increased by such a measure.

Mr. *Wilmot* opposed the resolution. He was decidedly hostile to the plan of appropriating the produce of the Sinking Fund to the service of the year. That fund ought to be preserved as a nucleus, to accumulate for the ultimate liquidation of the national debt.

The House divided: Ayes, 83; Noes, 109: Majority against the Resolution, 26.

List of the Minority.

Allen, J. H.
Barratt, S. M.
Becher, W. W.
Bennet, hon. H. G.
Benyon, B.
Birch, Joseph
Bright, H.
Bury, visct.
Campbell, hon. J.
Calvert, C.
Coffin, sir Isaac
Crespigny, sir W.
Crompton, Sam.
Creevey, Thos.
Cholmeley, sir M.
Denison, W. J.
Duncannon, visc.
Dickinson, W.
Ellice, Ed.
Evans, Wm.
Farquharson, A.
Fergusson, sir R. C.
Folkestone, visc.
Farrand, Robt.
Gordon, R.
Graham, S.
Grant, J. P.
Grenfell, P.
Griffiths, J. W.
Hamilton, lord A.
Harbord, hon. E.
Hobhouse, J. C.
Honywood, W. P.
Hutchinson, hon. C.
James, W.
Johnson, col.
Lennard, T. B.
Lambton, J. G.
Lloyd, J. M.
Lushington, S.
Lockhart, J. J.
Maberly, J.
Macdonald, J.
Martin, John
Monck, J. B.
Marjoribanks, S.
Neville, hon. R.
Newport, sir J.
Nugent, lord
Ord, W.
Ossulston, lord
Palmer, C. F.
Parnell, sir H.
Price, R.
Pym, Francis
Rice, T. S.
Ramsden, J. C.
Ramsay, sir A.
Ricardo, D.
Ridley, sir M. W.
Robarts, A.
Robinson, sir G.
Rowley, sir W.
Rumbold, C.
Russell, lord W.
Smith, John
Smith, hon. R.
Smith, Sam.
Smith, Abel
Scarlett, James
Sefton, earl of
Stanley, lord
Shelley, sir J.
Talbot, R. W.
Taylor, M. A.
Tierney, rt. hon. G.
Warre, J. A.
Webbe, Ed.
Western, C. C.
Wharton, J.
Whitbread, S. C.
Williams, W.
Wilson, sir R.
Wyvill, M.

TELLERS.

Calcraft, John
Maberly, W. L.

The second Resolution, viz. "That Taxes to the amount of the said difference of 1,963,300*l*. should be repealed, from and after the 5th January, 1822," was then put and negatived. After which, Mr. Maberly said, that after the division which had taken place, he did not feel disposed to press the remaining resolutions.

HOUSE OF COMMONS.

Wednesday, March 7.

PETITION OF NATHAN BROADHURST.] Mr. *James* rose to present a petition from Nathan Broadhurst, at present a prisoner in Lancaster castle. The petitioner represented "That he had been, originally, arrested upon a charge of high treason, which charge being afterwards abandoned, he had been tried for a misdemeanor, and sentenced to two years' confinement; that on the day of his arrest he was confined to a cold, damp, stone room, for seventeen hours out of the twenty-four; that all letters written by him were obliged to be unsealed and opened to the inspection of the gaoler, before they could be dispatched; and all letters addressed to him were, with the same view, broken open, and brought to him in that state; that on one occasion, without any provocation whatever, the gaoler came to the petitioner and told him that for the good order and government of the prison it was necessary that he should be immediately committed to a place called the Ditch, which is a place of marked and peculiar degradation; that he was accordingly forced thither, and hurried down a flight of several steps, by which means his ancles were very much injured; and that he was so severely fettered, that finding himself unable to bear the extreme suffering to which they exposed him, he sent for a surgeon, who, upon seeing the state he was in, instantly ordered the fetters to be taken from him, thinking it most cruel that they should remain." The petition enumerated various other grievances to which this man was exposed. This man's letters were broken open from whomsoever they happened to come. Now he did not know under what authority so odious a practice as the opening of prisoners' letters was supported. It might be, perhaps, by the permission or approbation of a few justices; but such a principle it would be odious even in the legislature to entertain; and if the legislature, which, as he conceived, could alone assume such a power, had not deemed it proper ever to do so, he thought it certainly was not competent for a bench of justices to take upon themselves the authority. Neither was he aware of any grounds which could justify the harshness which the individual had been treated with, in the particulars set forth in his petition, excepting, indeed, the fact that these restraints had been imposed on prisoners by the same magistrates who had distinguished themselves at Manchester, after the bloody transactions of the 16th of August. The petition required the strictest investigation.

Mr. *Hornby*, as one of the visiting magistrates, felt himself called upon to say a few words upon the subject of this petition. The rules complained of by the petitioner were sanctioned by two of the judges. He himself was one of those who disapproved of the rule excluding all newspapers from the prisoners; but he was opposed by the majority of the magistrates, whose decision was approved by that humane and constitutional judge, Mr. Justice Bailey. As to the petitioner's complaint about the rule with regard to work, reform being one of the main objects of imprisonment, it was better to employ prisoners in some branch of industry, than to allow them to spend their time in listless inactivity; and yet no prisoners were compelled to work in this prison but such as received the county allowance. The restrictions as to communication by letter he thought necessary for the purpose of securing the safe custody of prisoners. With regard to the character of the gaoler of this prison, he could declare from personal knowledge that he was a most humane man, whose removal would be a serious grievance to the prisoners themselves.

The petition having been read,

Lord *Stanley* said, that this was the third time the conduct of the gaoler had been a matter of complaint to this House; and after an investigation into his conduct, it had been satisfactorily proved that he had not been guilty of any oppression. He believed there were no grounds for the allegations in the petition, and therefore he should oppose its being received.

Mr. Serjeant *Onslow* declared, that after what the House had heard from local magistrates with respect to the conduct and character of the gaoler, the statement of the petitioner must be deemed a foul and infamous calumny, which ought not to be circulated with the sanction of that House.

Sir *R. Wilson* observed, that testimonies equally high, had been borne in that House to the conduct and character of governor Aris, who had nevertheless been indisputably proved to be a confirmed knave and tyrant.

Mr. *Hobhouse* said, that he knew something of this Mr. Higgins, the gaoler; for some time ago, a petition was transmitted to him, to present to that House, from several prisoners, who complained of his misconduct; but after he had received this petition, some of the parties wrote to him not to present it, because the county magistrates had rectified the matters complained of. From this circumstance it appeared, that this gaoler was not deserving of the unqualified panegyric which he had received.

Mr. *Lockhart* deprecated the doctrine that that House, by receiving a complaint of oppression from any petitioner, made itself a party to that complaint, or to the charges which it imputed. From the admission of such doctrine, another proposition would naturally follow—that if the House received the complaint, and instituted an inquiry upon the subject, the case would be referred to a partial tribunal. He was an advocate for the reception of any petition couched in decorous language. It was the undoubted right of the subject to state his grievances to that House, and the duty of that House to receive such statements.

Mr. *Wynn* was quite astonished at the doctrine which had been held on this subject. There was a proper tribunal, before which all matters with respect to gaols might be brought, namely, the visiting magistrates. The House therefore ought not to interfere in the present case.

Mr. *Bernal* contended, that after an ineffectual appeal to the proper tribunal, it was competent to any subject to present a petition. The noble lord who opposed the motion, had not attempted to contradict the allegations in the petition, but had contented himself by stating what he had heard from others.

Mr. *Lambton* asked his noble friend, whether it was his private opinion that the petition should not be received?

Lord *Stanley* replied, that it was certainly his intention to oppose the receiving of this petition.

Mr. *Lambton* could not help regarding it as monstrous doctrine, that a statement of great oppresion from a prisoner should not be laid on the table of that House, because it referred to a gaoler of whose character two or three of its members entertained a favourable impression. If any gaoler were charged with inhumanity by a prisoner, the charge should, in his view, be investigated. He had a good opinion of the gaoler of the county of which he had the honour to be a representative; and yet if such charges as the present petition contained were preferred against him, he would certainly be an advocate for the investigation of that complaint. if a petition complaining of oppression, especially by a prisoner, were presented against the representative of the county, or the whole body of the magistrates, he would vote for its reception. In this case, the petition was from an unfortunate prisoner, whose character he did not know or care about. But he would say of him, as lord Chatham had said of Wilkes, that he neither cared about his private character or public principles, but considering him as an English subject, possessing rights which the law gave him, and the law alone could take away, he would resist any attempt to subject him to oppression.

After some further conversation, the question being put, "That the Petition do lie on the table," the House divided: Ayes, 33; Noes, 86.

List of the Minority.

Bennet, hon. H. G.
Bernal, R.
Bright, H.
Byng, G.
Calcraft, J.
Calvert, C.
Creevey, T.
Denman, T.
Dickenson. W.
Duncannon, Visct.
Ellice, E.
Gordon, R.
Guise, sir W.
Hobhouse, J. C.
Hughes, W. L.
Hume, J.
Hutchinson, hon. C. H.
James, W.
Lambton, J. G.
Latouche, R.
Lockhart, J. J.
Markham, Adml.
Monck, J. B.
Palmer, C. F.
Power, R.
Ricardo, D,
Rice, T. S.
Robinson, Sir G.
Rowley, Sir W.
Smith, W.
Tulk, C. A.
Western, C. C.
Wilson, Sir R.
Wood, M.
Wyvill, M.

Right of Judges to fine a Defendant during the course of his Defence — Thomas Davison.] Mr. *Hobhouse* rose to present a Petition which was signed by 1,500 of the inhabitants of London and Westminster. The petition, he observed, referred to a most important subject which had already been brought under the consideration of the House. The petitioners expressed their regret that the recent petition of Thomas Davison, complaining of the conduct of Mr. Justice Best in having fined him three times in the course of his defence, should have been thrown out without having been read, and they added that the fining of a defendant during the course of his defence, by a judge, was contrary to the spirit of our laws; and that the House was the place to which applications ought to be made when grievances were complained of arising from what was conceived to be the mal-administration of justice in the courts: and they stated this the more confidently, as they understood that there was a standing committee of that House called the committee for superintending the administration of justice. They also said, that if the House neglected to superintend this administration of justice, they would lose what respect remained for them in the country. The prayer of the petition was, that the House would refer this important point, to the consideration of the committee of justice. He hoped that as this petition did not at all refer to the conduct of the judge, but merely to an abstract question, and as it was couched in most respectful language; that he should not hear complaints against it from hon. gentlemen opposite. The hon. member contended, that that House was the proper place to which applications ought to be made where parties were aggrieved by the conduct of judges. It might be said that, if the party was injured, he ought to apply to the courts of law. He would say, as Horne Tooke had said on this subject—"The courts of law were open to all: so was the London Tavern;" or as Goldsmith had said of the sign at the public-house, which "Invites each passing stranger that can pay." Courts of law and their decisions were not always regarded with such reverence in that House; for when the great question as to the power of unbailible committal, in the reign of Charles the 1st, was discussed, and an opinion of the Court of King's-bench cited in its favour, Mr. Pym said, the judges had mis-cited the authorities; and, upon his suggestion, a sub-committee was appointed to examine the grounds of the judges' opinion. Upon the resolutions of that committee was founded the immortal Petition of Right. The more he considered the subject, the more he was convinced that a judge had no right to fine a defendant for words uttered in the course of his defence. So far was the language used by Davison from being of an unprecedented character, that a number of instances were to be found in which judges had been insulted in the grossest manner, and yet they had never thought of resorting to this summary mode of punishment. The cases of Prynne, Bastwick and Burton, and the recent ones of Williams, Eaton and Carlile, were precisely in point. As to the argument, that it was extremely improbable that the judges would abuse this discretionary power, he could only reply, in the language of Mr. Burke, that all discretionary power was subject to abuse. Such was the frailty of human nature, that oppression was not merely the probable, but the necessary consequence of vesting an arbitrary discretion in any tribunal. It was impossible to say where the consequences of permitting the judges to exercise such an arbitrary power might end. It might lead to the destruction of the trial by jury, as had happened in Sweden, through the corruption of the court and the apathy of the people, towards the end of the seventh century. He would state to the House an instance of the way in which this power of fining for contempt was assumed, since the discussion on Davison's petition. On Wednesday last, in the Traverse Court, in Horsemonger-Lane, Mr. M'Creery, a printer, well-known to the readers of Mr. Roscoe's works, observed, that he had discovered a practice, very like packing a jury, which prevailed in that court; for that he had been told they would not admit him among them, lest he should insist upon their deliberating upon their verdict. Upon this the presiding judge said, "Sir, if you do not sit down, I'll fine you for contempt; and ere long you will render yourself unworthy to sit among the jury." This arbitrary power of fining for contempt would become a source of oppression in cases of political libel; because the defence in such cases must, from its very nature, be an aggravation of the imputed offence. In the late defence of Mr. John Hunt, for instance, the editor of "The Examiner," almost every sentence might be called an aggravation of the original offence; and if he had been tried by a passionate or political judge, he might have been fined at every step. The offence imputed to Mr. Hunt was a libel against the House of Commons; and he endeavoured to prove that the greatest men in the country had said much worse things of that House than he had ventured to do; yet the learned judge never thought of fining him for adopting this line of defence. There was no difference in this respect between cases of blasphemy and political libel; blasphemy was itself a species of political libel, inasmuch as it went to impugn the religious establishments, which were intimately connected with the political institutions of the country. But it was said, will you venture to oppose the opinion of the chief justice on this point? Yes, he would oppose the opinion of chief justice Abbott, or ten thousand chief justices, if it tended to subvert the principles of the constitution, by supporting an arbitrary stretch of power. He had no great reverence for the opinions of lawyers on constitutional questions; lawyers were bad legislators. It had been well observed by Harrington in his Oceana, that "Lawyers were feathered and armed with interests directed point-blank against the interests of the people." Lord Ellenborough had declared in 1804, that any thing was a libel which had a tendency to hurt the feelings of his majesty's ministers; an opinion which, considering the character of the gentlemen opposite, and the auspices under which the government was conducted, was calculated to produce a plentiful crop of political libels. The chief justice of the Common Pleas had very recently expressed his disapprobation of some observations of lord Camden, which, he thought, pressed too hard upon judge Alibone, who sat upon the same bench with Jeffries and Scroggs. Mr. Justice Best had also declared, that the writ of Habeas Corpus might be refused on the first application, and was not to be granted as a matter of course. In this opinion he (Mr. Hobhouse) happened to be personally interested, and therefore as soon as he got home—he would forbear entering into particulars as to his place of residence at that time—he referred to Blackstone's Reports, and found that it had been most inaccurately quoted by the learned judge. The ground of refusal in the case referred to was, that the individual was an alien, and thefore not entitled to the privileges of an Englishman. The solicitor-general had exhibited a similar degree of accuracy, when he had said that all the cases which he (Mr. Hobhouse) had cited, had been before cited by Mr. Cooper in his argument; for it happened, that of all the cases he had produced, only one had been mentioned by Mr. Cooper. Under such circumstances, he thought it was not too much to say, that the opinions of judges were not to be taken for gospel. When the House recollected, too, the way in which many learned gentlemen arrived at the highest distinctions of the profession—when they recollected that his majesty's ministers were constantly on the alert to catch any gentleman who distinguished himself at the bar for the current price of the day, and that the chief-justice-ship of Chester, that legal rat-trap, as it was whimsically termed, was usually kept open for this purpose, it was not very surprising that gentlemen who owed their elevation to ministers should entertain a grateful recollection of the patronage of their employers, and be ready to defend any ministerial job. Was it to be wondered at, that, under such a system, political judges were sometimes to be found? It was not in human nature that they could forget their creators, and always act without bias or political partiality; and therefore, in legislating, that House was bound to take their fallibility into account. He did not, of course, mean to impute to the judges in this country that sort of corruption which prevailed at Florence, where the tender of a few guineas more or less would determine the event of a cause; but if they were free from that gross degree of corruption, it could not be denied, on the other hand, that some instances of a strong political bias had recently occurred, upon which it was impossible for men of sense to shut their eyes. He trusted the House would acquiesce in the propriety of taking this petition into consideration. His only motive in bringing it forward was, to remove, as far as possible, from the administration of justice those blots, which were, perhaps inseparable from human institutions,

——— "Quas aut incuria fudit,
Aut humana parum cavit natura."

Mr. Serjeant *Onslow* maintained, that the case of Davison was one in which the right of the judge had been legally exercised. The judge at *Nisi Prius* had the power of committing, as well as of fining, and the deprival of liberty was paramount to the infliction of a fine. He had voted against receiving the petition of Davison, on the former night, because the petitioner had been guilty of a gross and audacious contempt, for which he was most deservedly punished. He had not looked into precedents; but he recollected an instance where such a power had been exercised. It was the case of a Mr. Stone, who was tried for high treason, and on account of a gross contempt, the judges fined him 10*l.* Many fines of this kind had been inflicted, which were not in the books, because they had passed *sub silentio.* He believed there was no lawyer who did not think that the power complained of had been properly exercised.

Mr. *Wynn* thought the present petition not liable to the same objection as the former. He was sorry for the manner in which the hon. member had prefaced the introduction of the petition. His speech had been made up of charges, formally prepared as it were, against the judges, which were incapable of being then answered. If the petition, on being read, should appear to attack the opinion pronounced by the House on the petition of Davison, he should oppose its reception.

The petition was then read.

Mr. *Wynn* expressed a doubt, whether it could be received, inasmuch as it alluded to what had been said by a member of that House on another occasion.

The *Speaker* decided, that where such an allusion was noticed by any member, the petition could not be received.

Mr. *Hobhouse* consented to withdraw the petition, in order to rectify the point of form, and to present a similar one so corrected.

Mr. *Denman* said, the House might have been saved all this trouble, had they received the petition he presented some evenings back. It was rejected without being read. This he believed was quite unprecedented. Of all the subjects that could come before them, the most important perhaps was the conduct of the judges of the land. The case became a very important one, if it was indeed true, that there existed no precedent for fining a defendant during his defence. The case was argued by Mr. Gurney, and no such precedent had been produced. He did not mean to say that a defendant might not be guilty of a contempt; but so novel a case as this, where a person aggrieved stated that he had been prevented from going on with his defence, through intimidation on the part of the judge, deserved the most serious and deliberate inquiry. It was no answer to say that the defendant had a written defence. He was not bound to confine himself to that written defence. He was not to be precluded from touching on the topics useful to his defence, if he thought proper; and, under those circumstances, the rejection of his petition was a most strange and unprecedented mode of proceeding. It was, indeed, as novel and irregular as the act itself of which that petition complained. As to the formal objection which was taken to the one now before the House, the opinion which the chair expressed should, of course, prevail; but he hoped a similar one would be presented, as it was of the first importance that such practices in courts of justice should not pass unnoticed by the House.

Lord *Castlereagh* approved of the decision to which the House had formerly come, and was of opinion, that the grounds of it had not been fairly stated. The learned gentleman had said, that this was the first time in which the House had rejected a petition without hearing the contents of it read, and in so doing had assumed that the House had rejected the petition without taking any cognizance of it. But this was not the case. The learned gentleman had himself stated the substance of Davison's petition; and it was owing to the statement made by the learned gentleman that the House had not permitted the petition itself to be read. If the learned gentleman had said, that he had presented it for the purpose of proposing some mode of remedying the evil complained of, he (Lord C.) should have had no objection to have had it laid upon the table; for the House was undoubtedly a tribunal capable of deciding upon the policy or impolicy of the existing laws: but as the learned gentleman had presented the petition as a complaint for illegal conduct against a learned judge, whose conduct had subsequently been solemnly reviewed and approved of by the Court of King's-Bench, he had thought it his duty to oppose the reception of it; for the House was not a court to review the conduct of the Court of King's-Bench, though it was a court to review the laws and customs of the land. The learned gentleman had likewise opened the petition as an individual case of hardship, and not as a complaint against a judge for improper conduct. If he had stated it as a case of corruption or malversation in the learned judge, the House would certainly have been bound to notice it; but could not be expected to do so when he stated it as a mere matter of law and of legal practice. If the present petition were withdrawn, and brought forward again on a future occasion, free from the objections now made to it, he was of opinion that it ought to be admitted.

Mr. *Denman* said, that the noble lord had mis-stated him, for he had informed the House on the former night, that there were three distinct propositions, which he meant to propose in following up the petition.

Mr. *Wynn* trusted that, if the petition were brought up again, other points besides those which had been insisted on that night would be omitted, as they were highly objectionable. He had said, on a former night, that the rejection of a petition without reading it was strictly conformable with precedent. He would quote two cases in confirmation of his assertion. In 1781, there were two petitions brought up of which the reading was negatived *nem. con.* not on account of their containing improper language, but on account of their relating to subjects with which the House thought it improper to interfere. One of them was a petition from one Whitehead, praying the House to alter certain clauses in a bill of Pains and Penalties. The other was a petition from the officers of the Westmorland militia, praying that the House would alter the method in which the business of their regiment was managed.

Mr. *Scarlett* said, that as the courts above could not review any proceeding which had arisen out of a contempt in the courts below, the House of Commons was the fit tribunal to review it. If any subject of the realm considered himself aggrieved by a fine or any other punishment inflicted on him in a court of justice, he could have no remedy for the grievance unless he obtained it in that House. In the case of Davison, the fine which had been inflicted upon him had been stated as a ground of new trial. The judges had taken notice of it only as a ground for a new trial, and had admitted that they had no jurisdiction to review the propriety of inflicting it; for every court was supposed to be the best judge of what was or was not a contempt of its authority.

The petition was then withdrawn.

MOTION FOR A COMMITTEE ON AGRICULTURAL DISTRESS.] Mr. *Gooch*, in pursuance of notice, rose to move for the appointment of a committee to inquire into the distress of the Agricultural Interest. If the committee were granted, he hoped it would be allowed to enter with full powers into an examination of the causes which had produced that distress, and would be permitted to report its opinion thereon to the House; and to state whether any and what remedy could be found for the grievances complained of. He well knew the delicate grounds upon which the question rested; and he could therefore have wished that it had been placed in more competent hands. He was happy, however, to observe, that upon all former occasions on which this question had been discussed, no party feeling had ever exhibited itself; and he therefore trusted that the gentlemen who usually opposed the agricultural interest—and especially that individual amongst them who was so highly distinguished for his knowledge of political economy (Mr. Ricardo), would permit the committee to see what good they could effect by their deliberations. Trade and agriculture were so interwoven with each other, that they appeared to him but as one interest; and he had always deemed it wicked to consider them as jarring with each other. He did not know whether it was attributable to his education and his early habits, but he was accustomed to consider the agricultural interest as the basis of all the other, and as the foundation on which the superstructure of public prosperity was invariably reared. If ever there had been a time in which that interest required public assistance, the present was the time. He therefore trusted that the petitioners would not be allowed to petition in vain. The petitions now on their table were signed by more than 100,000 persons, and were not got up in the streets and alehouses, as had too often been the case recently; were not signed by women and school-boys but by the yeomanry of the country, the heart's blood of the state, the most laborious and industrious of his majesty's subjects. If our greatest enemy wished to call down upon our heads his heaviest curse, he could not call down upon them a heavier than this—that the prayer of these petitioners should be allowed to pass unnoticed. They had been told in another place, by a noble earl, for whose general character he felt the highest respect, that the main cause of the distress felt by the agricultural interest was the superabundance of last year's crop. He differed entirely in opinion from that noble lord. In Suffolk, Norfolk, and Cambridge, the crop of wheat in the last year had been deficient, though that of barley had been abundant. In the conversations which had occurred regarding the malt tax, it appeared to him, that the chancellor of the exchequer had laid too much stress upon the increased returns of malt, since those were owing to the abundance of barley only. It was not, however, against internal produce that the agriculturalist wanted protection, but against foreign; and some further relief must be extended to him, if the country did not wish to see his interests involved in ruin. He did not expect that any great relief could be extended to them under the present system of our corn laws; for there was something radically wrong in them; there was some unseen defect in them; in short, they did not work well. Among other defects he could not overlook that of the warehousing system. Gentlemen who were not accustomed to farming could not be aware of the panic which that system created among the farmers. He would suppose that there were 800,000 quarters of wheat warehoused. The moment the price of corn rose to what was considered a fair remunerating price, then this corn rushed to market. The farmer was panic-struck; he put his thrashing machime to work; his produce found a glutted market; the price quickly fell from 80 to 60 and 50*s*., and all his industry and labour were frustrated. Thus the warehousing system produced nothing but poverty to the farmer and distress to the land. It was an evil, which, like the sword of Damocles, hung by a single hair over the agricultural interests, ready every moment to fall and cut them in pieces. He therefore asked of the House to give to the agricultural interest that protection which its value in the state demanded. He found, by reference to the returns made under the property tax, that the following was the proportion between the trade and commerce and agriculture of the country.—The owners of land returned 4,297,247*l*., the occupiers 2,176,228*l*., making a grand total of 6,473,475*l*. The property returned by the trade was two millions and upwards. He did not mention this for the purpose of drawing any invidious distinction between the trading and the agricultural interests; but to show that the proportion which the land bore to the other branches of the public revenue was as 3 to 1. If we were desirous of remaining a great agricultural as well as a great trading nation—if we did not wish to degenerate into what our great enemy had called us, a *nation boutiquiere*, we were bound to assist the agricultural interest. It was impossible for the country to go on for any length of time, as it was going on at present. Seasons of difficulty and danger were evidently approaching; and it became the House not to shrink from the consideration of the measures necessary to meet them. He would not state what those measures were, but he was confident that the House would find out some that were calculated to produce that effect. The hon member then moved, " That the petitions which have been presented to this House, complaining of the depressed state of agriculture of the united kingdom, be referred to a select committee, to inquire into the allegation thereof, and to report their observations thereupon to the House."

Sir *E. Knatchbull* seconded the motion. He observed, that although his majesty's ministers had declined to take any step on this subject, he by no means imputed any blame to them on that account. He was convinced that the petitions of the distressed agriculturalists had not been treated with neglect or inattention, either by that House or by ministers. But the fact undoubtedly was, that the question was one full of difficulties. The first difficulty was, the natural jealousy entertained by the mercantile interest upon it. That jealousy would, he trusted, however, not induce them to oppose the motion. The object was a practical object. It was not the wish of the supporters of the motion to enter into any questions of political economy. For such discussion their habits were unfit; and he trusted that none of the gentlemen who might speak on the motion would be drawn into such a discussion. Another difficulty attendant on the question was its great delicacy. On all subjects relating to the corn laws, a suspicion was naturally excited, with respect to the views of those by whom those subjects were agitated. If those who supported the petitions of the agriculturists did so with the intention of consulting the exclusive interest of that particular class, such a suspicion would be well grounded; but that was by no means their object, which was on the contrary general and comprehensive. It might be said, however, that if such difficulties as those he had described were in the way, why did the advocates for investigation persevere? The answer was, because perseverance was absolutely necessary. The distresses which existed were generally prevalent. Every gentleman must confess that truth. It was proved by the increased poor rates, by the extensive pauperism, by the inability of the farmers to furnish their labourers with adequate employment. Even the tradesmen of the metroplis must be sensible of the burthens to which the landed interest were subject, by the difficulty which they experienced in obtaining the payment of their bills by that part of the community. He wished to state the subject fairly. It had been said, that during the last five years the farmer had received at the rate of 78*s*. a quarter for his wheat. If that were the fact, he admitted that the case would not be so strong as it was. But he denied that the averages had been fairly taken. He asserted that the real average price of the last five years was many shillings under 78. In five parishes contiguous to one another, no less than 3,000 acres of land had been either given up to the landlord, or thrown out of cultivation. Farming had been a losing concern for the last three years. In 1818, the farmer lost a good deal; in 1819 that loss was considerably increased; but in 1820 it amounted almost to utter ruin. He attributed a considerable portion of the agricultural distress to the large importation of foreign corn which took place two years ago. The effect of that importation in depressing the native cultivator, had extended down to the present moment. He also agreed with his hon. friend in his remarks on the warehousing system. The alteration that had taken place in the currency was one material cause of the existing distress. Under all the circumstances of the case, he thought, however, it would be highly inexpedient for us to retread our steps on the subject of the currency. Economy was undoubtedly the basis on which the policy of this country, in its present situation, ought to be conducted. With respect to taxation, he did not believe that any large or decided reduction was practicable. As to the estimates of the public service, they might and ought to be considerably reduced. At the same time, how was it possible for ministers to receive, with much favour, propositions accompanied by declarations that those ministers were the cause of the existing expenditure? That was not the spirit in which any recommendations intended to be beneficial to the public ought to be made. He admitted the importance of this part of the subject; and although the committee proposed by his hon. friend was not to be positively a finance committee, yet if any means could be proposed in that committee by which the expenditure of the country might be advantageously reduced, it would be a legitimate object of their consideration. But whatever might be the course pursued by the committee, he was quite sure that they would avoid—because he was quite sure that nothing could be more strongly deprecated by every honourable and reflecting man—any step which might have a tendency to violate the public faith. Whatever were the difficulties of the country, they ought to be met with firmness and honesty; and he was persuaded that he might confidently declare on the part of the agriculturists, that they were ready to make any sacrifices for the preservation of the national honour. It had been asserted that the whole landed property of England was mortgaged to the full extent of the national debt. That he denied. The fact was, that the general property throughout the country might be deemed to be so mortgaged, but not the landed more than any other species of property. The House had heard that a great portion of the poorer land had been thrown out of cultivation. If things went on as they were going on at present, it was to be feared that the whole of the poorer land would be thrown out of cultivation. This was an evil which, if possible, ought to be averted, because its occurrence would comprehend, not only the utter destruction of all the capital that had been expended on that land; but would throw out of occupation a great number of hands, who, in the present state of the country, could not obtain employment in any other way. With respect to the husbandry horse tax, although he admitted that the abandonment of that tax would not have afforded any very efficient relief to the farmer, yet he thought it would have been advantageous, as showing the disposition of the House to grant all the relief possible. One of the main points was, the establishment of a correct mode of taking the averages. A small advance might also be advantageously made in the importation price of oats. It would be highly serviceable also if a graduated scale of duties, varying according to the price of British corn, were fixed. The hon. baronet concluded by declaring his conviction, that whatever relief might be afforded by the House, would be gratefully received by the petitioners, who, whatever might be the result of the proposed inquiry, would, he was persuaded, still pursue the line of temperate and loyal conduct by which they had hitherto been invariably distinguished.

Mr. *Robinson* said, he was seldom anxious to offer himself to the attention of the House; but he owned that on this particular question he was very desirous to take the earliest opportunity of making a few observations. When a proposition similar to the present was made last year, he had felt it his duty to explain the grounds on which he thought it inexpedient to comply with it. He had opposed that proposition, because he did not think the distress at that time was attributable to the existing laws, and because he thought, unless some clear and distinct view were taken of the specific remedy which it might be practicable to apply to the distress, a compliance with the proposition would be at that time inexpedient. He certainly felt that those general objections made by him last year might be said to be applicable to all times. But still, when the interests, he would not say of one class, but of the whole community, through one class, were deeply affected, it became a question of feeling as well as of expediency, whether an inquiry might not be consented to at one particular time, though not on every occasion when it was proposed. In that situation he felt himself at the present moment. It would be strange, indeed, if he or any one could hear of distress, which, whatever might be its degree, was universal throughout the country, without being greatly interested in the subject. He did not know how that man's mind could be constituted, who was capable of listening, unmoved, to the representations made, not only in the petitions on the table, but by the various gentlemen to whom the duty of presenting those petitions had been confided. Although, therefore, he might be acting somewhat inconsistently in acquiescing in a motion which he had last year opposed, it was an inconsistency with which he ought not to be reproached, and of which he was not ashamed. With regard to the objects to which the committee were to devote their attention, he did not wish for any restraint to be imposed upon them. It, however, gave him great satisfaction to hear from the hon. mover and seconder, that with respect to one or two subjects which had been incidentally adverted to in antecedent discussions in that House, it was not their belief that any relief could be obtained by an alteration of the existing law. He alluded particularly to the state of the currency, and to the suggestion that relief might be obtained by some operation on the public debt. As to the question of taxation, let the committee examine it in all its bearings. But this he begged to be allowed to say, that the only effectual relief which could be given, either to the petitioners or to any other class of the community, must be accompanied by the maintenance of the public credit. If, by retrenchment, the expenditure of the country could be so diminished as to leave a considerable surplus of revenue, it would then become a question of the utmost importance whether, with reference to the maintenance of public credit and to ultimate national benefit, it would not be expedient to apply that surplus to the diminution of the debt, rather than to afford immediate but less valuable relief, by diminishing the taxation to its amount. That would be a most important consideration; and unless the House were prepared at once to say that all views of diminishing the debt ought to be abandoned, it was a delusion to hold out the hope, that a diminution of the expenditure of the country would operate immediately to the relief of the agriculturists.—There was an idea among many persons, that the only practical relief that could be afforded to the farmer was, to impose high protecting duties not only on foreign corn, but on all other foreign agricultural produce. He trusted, that he had last year sufficiently exposed the fallacy of this notion. The persons entertaining it seemed to labour under a delusion with regard to the actual protection given to agricultural produce; they seemed to believe that every species of foreign produce could be imported into this country without the slightest duty. The fact was otherwise. Since the year 1812, at which time agriculture was in a peculiarly flourishing state, the importation of many articles of agricultural produce, cattle, sheep, and other live stock, which at that period might have been imported without any duty, was now prohibited. Seeds of all kinds were at that period liable to a comparatively small duty; that duty had since been greatly increased. It was extremely productive to the revenue, and did not occasion the injury to the country which a prohibition, or a duty amounting to a prohibition, would cause. Butter and cheese, which, in 1812, could be imported freely, were now subject to a considerable duty. If the system of prohibition were adopted with respect to those articles, the first evil would be, that the revenue would be diminished to the amount of no less than about 600,000*l.* a year. He could not sit down without expressing his sincere thanks to the hon. mover and seconder, for the judicious, calm, and temperate manner in which they had brought it forward. He was quite satisfied, that if the House went into the proposed inquiry, it was only from the prevalence of a similar spirit that any useful result could be expected. If the members of the committee were to be actuated by any other views—if any hostile feelings were to be introduced—if one interest were to be set up against another, instead of a diligent application to the interests of all, the labours of such a committee would be any thing but beneficial. Without pretending to predict what might be the result of the investigation, he was sure that, if that good spirit of which he spoke were to pervade the discussions of the committee, even if after full investigation they should be of opinion that the grand specifics proposed would be either impracticable, or, if practicable, injudicious, the very establishment of that fact would have no small effect in relieving the anxiety which prevailed among those whose interests were so deeply affected on the question, and who would then feel persuaded that the House of Commons were perfectly ready to afford any relief which was consistent with their sense of what were the true interests of the country.

Mr. *Curwen* said, that the subject was undoubtedly one in the treatment of which party feeling ought not to interfere. He, for one, should not reproach the right hon. gentleman for any inconsistency which there might be between his present course and that which he pursued last session. He was not disposed, however, to augur very favourably of the result, after what had fallen from him. The right hon. gentleman was mistaken if he attributed to him any wish to exclude the foreign grower from the home market: he desired only to place him on a level with the English grower. It must be concluded that ministers were ignorant of the real extent of the distress. Had they known it, it would have been their imperative duty long ago to have interposed relief. To such an extreme had it been carried, that unless a remedy were quickly applied, it would come too late. He did not want to repeal any of the taxes to pay off the national debt; the amount rendered it impossible; but he called upon ministers to remove some of the existing burdens, to prevent the complete and irremediable ruin of the nation. In the most flourishing times the income of the whole empire could never be placed higher than 400,000,000*l*., while taxation amounted to 80,000,000*l*. At present, the income was only 300,000,000*l*., yet taxation was the same. In what situation was the farmer? The average of grain, if properly taken, did not exceed 62*s*. per quarter: the consequence was, that the farmer lost not less than 3*s*. by every bushel of grain he grew. On the article of wheat alone, the agricultural interest had lost 15,000,000*l*. and on barley and oats 15,000,000*l*. more. The value of his stock had been deteriorated not less than 10,000,000*l*. so that in England only there was a total diminution of 40,000,000*l*. The diminution in Scotland and Ireland might be taken at the lowest at 15,000,000*l*., so that the capital of the country was reduced 55,000,000*l*. While the agriculturists had lost one quarter of the value of his productions, the rate of taxation had actually increased. That rate had formerly been considered as 20 per cent. but to that 6½ per cent must now be added for the diminution of the value of his productions, so that it actually now amounted to 26½ per cent. Here was one great cause of the evil—enormous taxation. Some gentlemen exclaimed to the landlords, "Lower your rents." There were 72,000,000 of acres in the united kingdom, producing a rental of 40,000,000*l*. and the diminution already was equal to one year and a quarter of that rental: if this state of things continued, the effect must be to annihilate all landed property. Ministers, like drowning men, caught at straws; and on this account charged the friends of the farmers with attempting to excite alarm. He denied it: and he denied also their other assertion of the increased prosperity of the country. The consumption of some articles might be considerable, because people, though they could not afford them, were unable to shake off old habits: but he believed, that there were gross errors in the accounts of the revenue for the last quarter; for instance, that the wash had been taken instead of the spirit. In the article of tobacco, the luxury of the lower orders, there was a great reduction, as well as in shoes. That document therefore, which was brought forward to show the improving state of the country, ought to excite the utmost alarm. With regard to importations, he contended that, as the law now stood, a supply for no less than fifteen weeks could be poured into the country, and during that period the British grower was beaten down in his prices. On the part of the agriculturists, he disclaimed the wish for any price for grain that could bear hard upon the manufacturers. A too high price was against the interest of the farmer, and a too low price against the interest of the mechanic. When the members for Nottingham and Southwark were about to sound an alarm through the land, he begged to ask them if the low price of victuals had at any time produced ease and comfort to the consumer? If it did not, it was pretty evident that very low prices were not the best cure for public distress. The great cause of that distress, was, first, the diminution of 50 millions in agricultural produce. Secondly, the overwhelming amount of taxation. In order to restore the country to the prosperity which it had lost, he would first recommend fair countervening duties, in order to place the English farmer on the same footing with the grower of foreign corn. That such protecting duties were necessary, no one could seriously deny. He had not long since had a conversation with a great proprietor in Poland. That gentleman had told him, that if the agriculturists of Poland received 8*s*. for their corn, they would not count it bad, but if they received 12*s.* they would consider themselves completely remunerated. Thus the House saw how difficult it was for the grower of British corn to cope with farmers who could sell their corn so low as 12*s.* The right hon. gentleman had said that the revenue was benefited to the amount of 600,000*l.* on the importation of cheese, butter, and seeds; and, he asked, would you have the government give up that revenue? No. He did not call upon them to relinquish that revenue; but he called upon them to give to the British farmer that fair protection to which he was entitled. He wished to see the farmer enjoy a fair price, which would be found to constitute the surest source of revenue. He had heard many persons say that the poor soil ought to be put out of cultivation. It should be recollected, that the growth of wheat, from what was termed poor soil, amounted to one million and a half of quarters; a quantity which afforded two months consumption, the want of which could not be well supplied from any other country. If those grounds were to be put out of cultivation, where would the country find consumption? Who that recollected the miseries of 1796, would expose the country to the danger of general scarcity? It should be also recollected, that there were not less than 300,000 employed in the cultivation of poor soil, whose productive labour amounted to six millions a year. Could the country afford to add six millions to the poor laws or could they feed the people, and put those lands out of cultivation? It had been said from high authority, that the national distress arose from over production; but farmers must have been madmen, if within the last few years they had increased their growth. The fact was precisely the reverse; and when the state of the markets was appealed to, that was the very circumstance he should have adduced, to show the aggravated nature of the distress. In truth, however, the harvest of last year had been over-calculated. Measures of relief ought to have been taken long ago, but, if not now adopted with promptitude, they might come too late. There was a point at which it became a duty even to resist; and if government would not take care of the interests of those committed to their charge, men would feel that they had a right to take the preservation of those interests into their own hands. Unless protection was given to the cultivator of the soil, and relief afforded by the reduction of taxation, ruin would be inevitable. Neither would he shrink from repeating that, according to the first principles of society, the legislature had not the power to make an exemption of any species of property from taxation. Whatever bar there might appear to be to taxing the funds, he would maintain that not to tax them was a fraud upon the people of England. The very foundation of society was, that every man, according to his means, was bound to pay for the protection afforded him. Economy must be adopted; for the nation would compel it. Not the economy of candle-ends and cheese-parings, but a real, effectual, and substantial economy. It was useless to go into the committee, unless the members came out of it with a strong report that would compel ministers to grant what was required.

Mr. *Whitmore* observed, that he thought it would be the best policy to abrogate all the duties which restricted commerce in Ireland, except perhaps that which related to corn, where perhaps some protection was necessary for the English grower. In his opinion, the main cause of the present distress was taxation. It was idle, when particular interests were affected, to fly to legislation, or to look at the laws affecting any one species of commerce. Unfortunately that had been the course pursued; and it had raised a vicious and artificial system which could not now be altogether laid aside. Of this description were the laws for keeping corn above its natural price. It was, however, material, in considering this subject, to bear in mind that rents had increased in proportion to the rise in the price of the produce. He held in his hand an account of the average value of 100 acres of land in the years 1790, 1803, and 1813. In 1790 the rent was 88*l.*, in 1803, it was 121*l.*, and in 1813, it was 161*l.* Tithes had of course increased, and rents must be deemed to have increased in a proportionate degree with the price of corn. He expressed his opinion, that it was no longer politic to force the cultivation of corn in bad land. The sooner it was put out of cultivation the better. He urged the imperative necessity of economy in all the departments of the state. Until arrangements to that effect were adopted, there was no chance of promoting the interests of the public.

Mr. *Honywood* trusted that the expectations of the public would not be too much raised by the appointment of this committee. Indeed, he felt convinced that if every system of economy and retrenchment was not enforced, the inquiries of the committee would be worse than useless. It had been truly said, that, in referring to the corn prices of 1790 and 1795, they ought to take into consideration the expenditure of the country at that period. The interest of the national debt was, at that period, 14,000,000*l*., whereas it now amounted to nearly 40,000,000*l*. The poor-rates, too, had increased to an enormous amount since. He was one of those who felt that the British grower ought to be protected; that we ought to be independent of foreign markets. He trusted, that the committee would have an opportunity of forcing the government to a proper reduction of our expenditure. The present ministry was not a ministry founded on public opinion, but on patronage and ministerial influence. He was one of those who lived among the people; who sympathised in their sufferings; and, who participated in their distresses. The only chance we had of maintaining the public faith, was by rigidly enforcing economy and retrenchment.

Mr. *Walter Burrell* was of opinion that the present agricultural distress arose chiefly from the great importation that had taken place in 1818 and 1819. He was aware that the pressure of taxation was severely felt by the agriculturist. An hon. gentleman had talked of throwing the thin lands out of cultivation; but he apprehended the hon. gentleman could not be aware either of the situation or of the extent of lands of that description. If such a plan were carried into execution, the country must inevitably be plunged into a state of insurrection; for there would be no possibility of finding employment for the numerous hands that would thus be deprived of labour. Every possible retrenchment should be effected, in order to reduce the present rate of taxation; and some restraint should be placed on excessive importation.

Mr. *Tremayne* said, that if any assistance could be afforded to the agriculturist, it must be by extending relief to all branches of the community. He wished that gentlemen would consider the impropriety of voting large grants, without previously inquiring into the practicability of reducing the public expenditure. The main stay of the country in its present distress must be economy and retrenchment. He was convinced that agriculture was the sure and stable anchor of the wealth and prosperity of the country. But he hoped the agriculturists would not forget, that their interest was inseparably connected with that of every other class of the community.

Mr. *Wodehouse* was convinced that the gentlemen on the ministerial side of the House were just as sincere in their wishes for every possible retrenchment as the hon. gentlemen opposite. He and his friends around him were equally aware of the effects of taxation; for a man must be worse than an idiot not to perceive that every class was pressed down by the burthen of taxation. But that the balance of taxation was not equally adjusted he was prepared to deny; nor could he believe that any relief could be given to the agriculturist, without at the same time relieving the other classes of the community. It was on this principle that he had voted against the resolutions proposed last night, and also against the repeal of the horse tax.

Mr. *Bennet* said, that he for one should oppose the appointment of a committee, unless they were to go into the fullest inquiry into the causes of the present distress. Unless the committee inquired into the pressure caused by the taxation, and into the effects of the existing state of the currency, the proceeding would be worse than a delusion upon the public; for, unless such an inquiry were entered into, it would be evident that the appointment of the committee had for its only object the raising of the price of bread, increasing the rent of the landholder, and supporting the revenue. The report of the committee would not be got up as some finance reports were at the Treasury. It was evident that taxation was one of the main evils which pressed upon the country. The existing state of the currency operated also to produce considerable distress. He hoped that those gentlemen who complained of this distress would exert themselves to prevent the voting a single shilling of supply without the most rigorous inquiry. In the present state of unexampled distress, when every individual was anxious, by oppressing his fellow, to shelter himself from ruin, it was not by parading a paltry, pitiful saving of a million a-year that ministers could redeem the pledge of economy which had been wrung from them by the people. It might be said that our great colonial system demanded the protection of a standing army; it might be said that troops were necessary, under the home system, to keep down the people of England; but he would tell ministers, that England could not afford the expense of the existing establishments; that she could not afford, at such an annual cost, to keep up her colonies, or even to keep down her subjects. He did therefore entreat of those gentlemen who were rising one after another, and describing the sheet anchor of the country, the agricultural interest, as in such a state of ruin, that scarcely any measure could be devised for its salvation; he did call upon every one of those gentlemen to watch their time, and to take their measures. Within a few days the first great grant of money, a grant for the support of a numerous army, would be submitted to the House. Let the hon. members who advocated the present motion come down to the House and vote against that grant, and then the country would be enabled to judge of their sincerity; but, if they took a contrary course, he must believe that they supported the present motion from interested motives. The distresses of the country must be relieved by a diminution of the public expenditure. But granting the reduction of a million, that reduction would not materially help the country. He should be one of the last men to suppose the possibility of breaking faith with the public creditor; but if the present system of extravagance was continued, that most dishonest measure might be forced upon the House. He wished to avoid that public fraud, that dangerous and disgraceful act of necessity; and the first step, in his opinion, towards recovering payment to the public creditor, was to diminish the other burthens that pressed upon the country. He begged pardon of the House, but he could not hear the arguments of those who supported this motion, without entering his protest against the appointment of any committee, whose object was to seek for a remedy to the distress complained of, by raising the price of bread, while the only true remedy was a reduction of the expenditure of the country.

Mr. *Western* said, he could not help repelling the censure which his hon. friend had endeavoured to cast upon the supporters of the motion. It was well to talk of foreign supplies; but he would ask, whether foreign supply had ever been found sufficient when England had been visited with scarcity? Possibly a reliance upon her own agriculture might raise the price of bread a little beyond the cost at which it might be obtained from the foreign grower; but that additional price was the price, to this country, of security—of a security which he trusted he never should see sacrificed to any visionary project of feeding the country by the sale of its manufactures. He admitted the importance of the manufacturing system; but that system must not be carried to such an extent as to supersede, or to interfere with, the culture of the soil; and he hoped that our protection against foreign agriculture would be such as to keep in cultivation at least as much land as stood at present in that situation. It was his firm conviction, that it was not by the money price of bread that the labouring classes were affected. The labourer was not so well situated at the present moment, as he had been at times when the necessaries of life had been much higher. Bread was now cheap in England, and yet the labourer was in a state of wretchedness; and he firmly believed that, taking a view of the prices throughout Europe, in those countries where bread was the cheapest, the labourer had the least share of it. The less the price of corn was, the less the means were of the labourer to contribute to the payment of any part of the national debt; and yet it could not be denied that by labour the greatest part of the debt was to be paid. Now, the wages of a labourer had been lowered from 16*s.* per week to 9*s.* and the price of bread had probably been reduced in equal proportion; but, supposing a man's weekly consumption of bread to form a part of his weekly expenditure, then the 16*s.*, after proportionate deduction for that article, would leave a larger residue for general purposes than could be afforded by the 9*s.* While, however he thought that, in the present state of the public burthens, high prices, and consequent high wages, were advantageous to the working classes, he agreed in the necessity of all possible retrenchment. He could not anticipate any greatly beneficial result from the labours of the committee sought by the present motion; but if to have such a committee was the wish of the country, it was the duty of the House to accede to that wish. He trusted that a committee might be appointed to consider how far the act for the resumption of cash payments was, or was not, a principal cause of the present distress. The hon. member reiterated his arguments for the protection of British agriculture. By attention to that important object, not only would benefit accrue to England, but all the energies of the sister kingdom might be brought into action. Ireland alone was capable of supplying all the corn which was now obtained from foreign sources; the quality of the Irish wheat was improving every year.

Mr. *Dennis Browne* said, that the members for Shrewsbury and Kent seemed desirous of forming a committee of passion and prejudice rather than one of practical benefit. He was one of those who considered that the main cause of the existing agricultural distress was the want of protection of British produce against the produce of the continent. The system of averages, as already established, had greatly failed, and he feared that any new system founded upon the same principle, could not be permanently beneficial. He thought the only way to accomplish the great object of the committee was to prohibit the importation of foreign corn altogether, leaving it to the discretion of parliament to decide when it was proper to remove the restriction. Nothing was more mischievous than the abstract philosophical notions which so much prevailed on all points of political economy.

Mr. *Barham* said, he had always been of opinion that bread and corn might be furnished cheaply to the people of this country, without maintaining the importation of foreign corn on its present footing. It was manifest, that the great object of the continental powers was the improvement of their manufactures. Every man must see that without some material alteration in the state of things, a famine was rendered probable. It was obvious that a large proportion of the lands now employed in the growth of corn must soon be thrown out of cultivation. If the agriculture of England was not protected, the country would soon be ruined.

Mr. *Ricardo* disclaimed any intention of imputing unworthy motives to any of the various parties whose interests were concerned in the question; but he would say, as he had said before, that the interest of the landholders must necessarily be opposed to that of the consumers in the present case. Some hon. gentlemen had been pleased to address him as a mercantile man, as if he had a particular interest to serve. He would answer, that he was not a mercantile man—that he was not a man of funded property, but that he was a landed proprietor, and, as such, had the same interest in the question with many of those who had opposed him. He did not look to the interest of any one party in the state, but to that of the whole country. He agreed in one opinion which had fallen from the hon. member for Essex, that it was not the money price of corn they were discussing, but the labour price; and it was on that very ground that he contended for the policy of a free trade. And what did a free trade mean?—that they should devote the capital which they possessed to the more extensive production of any commodity; corn, for instance. It would result, that the greater the capital which they could so devote, the more of the article would they be able to procure. While he said this, he begged that he might not be understood as advocating an unlimited free trade in corn; for there were circumstances attending that question which rendered it imperative upon the legislature to impose some shackles upon a trade, which, more than any other, being once without restraint, speedily required them. And this led him to consider what had been urged by many gentlemen upon the subject of countervailing duties. If the agriculturists would show that they had any particular taxes to cope with, which other producers had not, then, undoubtedly, they ought to have a countervailing duty to that amount: and not only so, but there ought to be a drawback allowed upon exportation to that amount. The great principle upon which they should go was this—to make the price of their corn approximate, as nearly as possible, to the price it bore in other countries. He was more sanguine, undoubtedly, than many; but he was not such an enthusiast as to suppose that, under present circumstances, they could reach at one step this great and true principle of all corn trade. Much had been said, affirming and denying the direct interest of landholders in monopolizing the market. He would say, without hesitation, that gentlemen of landed property had an interest in getting the monopoly of the market for their own corn. In the mode in which they had gone about it, however, they had not been very dexterous or successful. The hon. member for Cumberland had said, with great propriety and truth, that for many years past a glut of corn had always come into the country whenever the price had risen above 80*s*. This fact confirmed the objections which had been raised to protecting duties upon that commodity. Although a duty on the importation of corn would not be so wise a measure as the approach to that system which he had suggested as constituting the true principle of a corn trade; yet he did think that a permanent duty upon importation would be a much wiser measure than that which had been proposed and advocated. Let them rather have a certain moderate duty which should have a tendency to produce a price of corn that should not be very variable. The last desideratum was of the very highest importance, as much of the evil arose from the fluctuation of prices. The system which had been proposed by the hon. member for Bridgenorth, of duties that should rise as the price of corn fell, and fall as the price of corn rose, he could not consider a very wise one. What would be the situation of the grower, if such a system were put in practice? Supposing he had to contend with the deficiencies of a short crop in one season, he naturally expected to make up for them in the next season. But the adoption of these duties would leave him no such remedy for his misfortunes. The hon. member for Oxford had the other evening appeared surprised at one or two positions which he had ventured to advance. The hon. gentleman had called upon him to solve this riddle, as he called it, namely, "if you open your ports, and import the immense quantities of corn which then will inundate the country, how can it be said the country will be better able to sustain a money taxation?—so far from it, the means she now possesses, now applicable to that purpose, will be withdrawn from her." But it was not difficult to give the required solution. Suppose the case of a country which was cultivating its own lands, and received no supply from abroad;—a country that had a much better mode and practice of agriculture than others; and which, in consequence of that circumstance, could, with less trouble and expense than they could do, grow all that was necessary for her purpose. It was clear that, under such circumstances, the price of corn would be much lowered there. But, let gentlemen keep their eyes upon the capital that would be thus liberated from the land. Would that be idle? Would that be employed in no way? Would it not be employed for the purchase and obtaining of other commodities? Would not those commodities be of value in the country, and by their value afford to pay that additional taxation which he had alluded to, in the position that had so much startled the hon. member for Oxford? "But," said that hon. gentleman again, "do you mean to say, that if the price of corn be lessened one half, the country can afford to pay the same money taxation?" He answered confidently, "Yes," these commodities of which he had spoken would enable her to pay it. An opinion had been given in another place, which he thought had been treated with too much levity. It did appear to him, that that opinion was well founded; for he also was one who thought that the low price of corn, under which we were at present labouring, was occasioned by too great a supply. He did not think it to be the consequence of taxation. Whether that abundance was the effect of too great an importation, or arose from a diminution of the demand, still the depression was in every case, if the price did not repay the producer, to be attributed to no other cause but the too great supply. Taxation, undoubtedly, was a very great evil; no man was more ready to deprecate the present system and extent of the taxation than he was; but how did it operate? Take the commonest article of trade; a hat, for instance. If the hat were taxed, the price of the hat rose of course. Enemy as he was to all taxation, he must say that it was not to taxation only that he attributed the distresses of the farmer; and they who did so, attributed the evil, he thought, to a wrong cause. The hon. member for Wareham had said a great deal, to show that those distresses were principally to be imputed to the heavy duties upon salt. Every person who used salt was injured to a certain degree by that tax: no doubt it was a very grievous burthen, but it was certainly not an adequate reason to be assigned for the present distressed state of agriculture. It had been said that such large quantities of corn had been imported, and at so low a rate, that all the poor lands would go out of cultivation. This he took to be a fallacy: and to proceed from hon. members erroneously supposing that all corn was grown at the same remunerating price. But nothing was more clear than that price was as 30*s*. in some instances, and 40*s*., 50*s*., 60*s*., and 70*s*. in others. The hon. member for Essex had told the House what small quantities of corn, after all, had been imported within the last ten or twelve years, from foreign countries. Another hon. gentleman, however, was for prohibiting the importation of foreign corn altogether, and asked them how they were to pay for it? Why, as for that matter, they ought not to contract the debt, if they could not pay for it; and if the fact was that they could not pay for foreign corn, that was pretty good security, he should conceive, that they would grow it themselves. Then there was the warehousing system. It had been said, "who will speculate in corn, when he knows what a tremendous quantity of it is hanging over him?" He would for one; for, if he had bought his corn at 79*s*., and it was now selling for 70*s*. he would keep it on hand; and take care not to sell it till it had got above 79*s*. Then if it rose only to 80*s*., he evidently had the market in his own hands. The hon. member for Cumberland had asked, "Can we grow corn in England on the same terms as the foreign grower." To this he would answer "No:" and for that very reason he would import it. But, what was the proposed end of all capital, if it was not this—that the possessor should procure a great abundance of produce with it? Now if he could prove that by getting rid of all that capital which is employed in land, he could make more profitable use of it, then he contended, that that was in effect so much capital gained by him. But here again an erroneous idea prevailed. The House was told of the capital which was employed in land, and told in a manner as if it was absolutely and entirely vested in it. Let them just consider, however, the wages of labour, the price of improvements, the charges of manure, and they would find that the total cost of all these items would be a capital saved. The hon. member for Kent had spoken in a very disparaging manner of thrashing machines. Now, in his opinion, every thing which tended to lessen human labour was an advantage to mankind. Something also had been said on the subject of the national debt. He had no particular individual interest in it, because he derived no revenue from it; but he would say, that the landed interest, the agricultural interest, the trading and every other public interest, were pledged to the public debt. What could be more dishonourable than for a state to carry on the expenses of war by the money advanced upon her good credit by her own subjects, and then to turn round upon those from whom she had borrowed it, and say—"We are involved, and we will not pay you." It was totally unworthy of an enlightened and honourable assembly to entertain a proposition so monstrous. The hon. member for Cumberland appeared to entertain a very strange idea of the nature of countervailing duties. He had said, that the countervailing duties should amount to all the difference between the price for which the foreigner could grow corn, and that for which we could afford to grow it. But the fact was by no means so. The House might remember the large capital employed in France during the continental system of exclusion, in obtaining a species of sugar from beet. Now, the question was, when that exclusion was abolished, and sugars could be imported, what were they to do with the capital employed in the beet process? The hon. member, on his proposition, would have required a countervailing duty to the amount of the difference between the price at which sugar could be so imported, and that at which it could be extracted from beet. Another argument was, that rent and capital would be annihilated if the land was thrown out of cultivation. He did not mean to deny that the House ought to deal tenderly with all the interests concerned; but though opening the ports would throw a good many labourers out of employment in land, it would open other sources of labour. The hon. member for Bridgenorth had taken an unfavourable view of the state of the country. For his own part, he had better hopes. He could not help feeling that the difficulties of the country were nearly at an end, and that the present unnatural state of depression must soon cease to be felt. He thought we were now reviving; and nothing could so much contribute to that revival as the relief of the people from taxation by every possible means. He had great apprehension from the appointment of this committee, because he feared that it would look for relief to restrictions upon importation. If restrictions were to be imposed, he would rather have a fixed duty than a graduated one, as being most likely to produce permanent benefit to the country.

Mr. *Calcraft* observed, that on a former occasion he had opposed the appointment of a committee upon this subject, but he had now no hesitation in saying that his opinions were changed. He would willingly go into the committee, yet he could never sanction the enactment of higher protecting duties. He had thought the former duty too high, yet he was willing to assent to it, in order to afford protection to the Irish farmer, and to give encouragement to the consumption of Irish corn in the British market.

General *Gascoyne* said, that he should feel extreme jealousy at any measure at all calculated to raise the price of the necessaries of life. The only consolation he had with respect to the proposed committee was, that the opinion of its members would be much at variance on the means of affording relief, that the whole would come to nothing.

Mr. *Wilson* confessed, that he was an advocate for the commercial and shipping interests, but he did not feel the less for the agricultural. He considered that a rise in the price of corn would enable the landlord to pay his labourer better, and keep him out of the workhouse.

The motion was agreed to, and a committee appointed.

CRIMINAL LAW IN IRELAND.] Mr. *S. Rice* moved for leave to bring in a bill for the repeal of the capital punishments attached to the commission of certain offences in Ireland. The crimes from which he proposed to remove capital punishments were, stealing privately in a shop; the forcible abduction of women; and the concealment of effects by bankrupts. He also proposed to repeal certain laws against witchcraft. It was right, he observed, that the punishment of crimes should, in every instance, be as conformable as possible to public opinion; and in Ireland this was particularly necessary, where there existed such a disposition to prosecute for many capital offences, and such a horror of informers.

Leave was given to bring in the bill.

HOUSE OF COMMONS.

Friday, March 9.

COMPLAINT AGAINST "THE MORNING CHRONICLE"—BREACH OF PRIVILEGE.] Mr. *Stuart Wortley* rose to call the attention of the House to a gross breach of its privileges. He was among those who approved of the publicity given to the debates and proceedings of that House. But, while those reports were allowed by connivance to go forth to the world, it was material to guard against any misrepresentation, especially with respect to the decisions or votes of the House; and it was a misrepresentation of this nature which he felt it his duty to submit to the House. That misrepresentation appeared in "The Morning Chronicle" of the 26th of February, and contained a very foul libel upon a majority of that House. The terms of this libel were as follows:—"List of the minority of 37 who voted on Friday last, the 23rd, for hearing the petition of Thomas Davison read before it was rejected, and against lord Castlereagh's admonition to the people of England, not to trouble and take up the time of the House of Commons any more with their petitions." [Hear, hear.] After hearing such a libel, he could not but express his surprise at the cheers on the other side. Did any gentleman mean to assert that the majority who voted upon the occasion alluded to, did decide in favour of the admonition which lord Castlereagh was alleged to have given? If any gentleman were so disposed, he would say to him, look at the Journals, do you find there that any such proposition was ever brought forward as this paragraph implies was supported by the majority?" He would dare any man to prove that the decision of the House was here fairly described. The statement, then, was a libel. The statement to which he referred imputed to a majority of that House a decision which it never pronounced, and a motive upon which it never acted. Such a proposition was never made, and was it not then most unwarrantable to charge a majority of that House with voting in favour of words to that effect, not one of those words appearing in the motion upon which this majority decided? Some such words were, it was said, made use of in the course of the debate. But, whether such words were made use of or not, they formed no part of the motion upon which the House divided, and it would be too much to charge upon a majority every word used by any member of that majority. If such a principle were established, there would be an end of all freedom of debate. There was another publication within a few days in the same paper, with respect to the members who voted upon the motion of the hon. member for Abingdon, in which a false colouring was given to the views of the majority. Upon this publication, however, he did not mean to call for any animadversion. But if the practice were to go on, of publishing the names of gentlemen as they voted in that House (and by the way he could not account for the manner in which such lists were furnished, as strangers were excluded upon a division), he must say, that accuracy should be attended to, and that no false description should be sent forth as to the motives of either the majority or the minority. He felt it necessary to assert the privileges of the House, and should move, "That J. Lambert, the printer and publisher of the Morning Chronicle, do attend this House on Monday."

Mr. *Bennet* said, that as to the passage complained of, he was led to believe that every word of it was true. Since he had heard of the intention to bring forward the complaint under consideration, he had taken the trouble of inquiring with respect to the practice of publishing lists of the names of members who voted in majorities and minorities of that House, and he had found, that it had prevailed for above a century. The first instance was that of a division in the House of Lords in 1703; next, that of a division in 1714, upon the expulsion of sir R. Steele. Then followed the lists upon the proposition of the Excise laws, and upon the employment of foreign troops in 1742. From that period down to the present this practice had prevailed; and now, for the first time, a complaint was preferred against it, and that too, upon very untenable grounds; for, although the House did not distinctly come to a vote upon the extraordinary admonition of the noble secretary for foreign affairs, from all that he had heard the paragraph complained of contained a correct description. Whether any gentlemen were ashamed of what they did, or how they voted generally in that House, he should not pretend to say. But he should not be at all surprised, to find some gentlemen unwilling to have it known to the world that they had voted against the reception of the petition of a fellow-subject, without even allowing it to be read, although it came from a poor man pining in gaol. The hon. mover was not among those who voted against the reception of that petition, and therefore it was found convenient to put him forward upon this occasion. But, as to the motion, he considered it peculiarly indiscreet, and in order to get rid of it, he would move, "That this House do now adjourn."

Sir *Charles Long* said, that the ground of his hon. friend's complaint was not against the practice alluded to, but against a particular paragraph, imputing improper motives to a majority of the House upon a certain occasion. By this paragraph that majority was charged with supporting an admonition to the people not to trouble that House any more with their petitions; which charge was contrary to the fact. His noble friend had been accused of admonishing members of that House not to present the petitions of the people. But what was the fact? Why, that some gentlemen, declaring that they felt it their duty to present any petition, couched in decorous and respectful language, his noble friend had observed, that it was the duty of every member, not merely to examine the style or expressions, but the matter or object of any petition which he was called upon to present.

Sir *R. Wilson* expressed a hope, that, as the publication alluded to did not contain any direct censure upon the House, or upon the majority alluded to, the hon. gentleman would have the liberality to withdraw his motion.

Mr. *Creevey* said, that the first part of the statement in the paragraph complained of was literally true, while the second was, according to his impression, substantially correct. The noble lord, after he gave the admonition referred to, certainly attempted several explanations; but still his conception of the noble lord's original meaning remained unchanged. Upon such a declaration then from any minister, or any member of that House, with respect to the right of petitioning, it was the duty of the public press to animadvert. If gentlemen thought the printer had been betrayed into indiscretion, he trusted to the liberality of the House that such indiscretion would not be made the subject of punishment. The printer might have been indiscreet; but what was his indiscretion compared to that of lord Castlereagh, in the declaration which gave rise to the paragraph under consideration? It would not become their dignity or discretion to found any proceedings upon such a publication, especially after the course adopted with respect to the address from the Presbytery of Langholme.

Mr. *Wallace* observed, that the question was not whether his noble friend had made an indiscreet declaration, but whether a gross libel had been published upon the conduct of a majority of that House? For himself, he was anxious that his acts and votes in that House should be fully made known; but as to the declaration imputed to his noble friend, he denied that he had uttered any such words as those imputed to him.

Sir *J. Newport* said, that the noble lord had used words with respect to the presentation of petitions, which at first struck him as bearing the construction put upon them, but the noble lord had afterwards qualified them. As well as he could recollect the words of the noble lord, they were these—"I would really request gentlemen to admonish those who bring them petitions, not to burthen the House with them in the manner they do." As to what had been contended that this House was not the proper tribunal for hearing complaints relative to the administration of justice, he declared, that if a petition were offered to him to-morrow, complaining of the conduct of a court of justice, he should feel it his duty to present it: for to what purpose was a committee of justice appointed, but to enable the people to bring before that House such grievances as they might suffer from malversation in the administration of justice?

Sir *M. W. Ridley* conceived, that if the noble lord had used words to the effect stated, he had afterwards, by his explanation, done away the impression which they had made. After all, as the first indiscretion had been on the part of the noble lord, and then an indiscretion on the part of some other hon. member who put the title to the minority, he thought it would be advisable to let the matter rest.

Mr. *Huskisson* said, he was one of those who did not object to the publication of lists; but he must object to the introduction of such lists, with misstatements of the nature of the vote. The insinuation here was against the majority; for the minority was described as having voted against a particular principle, and it was to be inferred that the majority were in favour of it. Now, with respect to the words used by the noble lord, he had understood them in this sense—that persons presenting petitions ought to be admonished that it was in the power of the House to refuse those petitions, if the subject referred to was one which ought not to be brought before them. If the words of the noble lord were misunderstood at first, he had afterwards sufficiently explained their meaning. As to the principle involved in the present motion, he contended, that if the House refused to assert its privileges on such occasions, they would be opening a door for great abuses.

Mr. *Stuart Wortley* said, it had not been his intention to persist in his motion, for bringing the printer to the bar of that House, for he believed he was not the person who was most to blame; but, after the hon. gentlemen opposite had thought proper to defend the act of which he complained, he would put it to the House, whether it would be consistent with their dignity to pass it over without animadversion. Still, however, as far as he was personally concerned, he was perfectly ready to withdraw it, provided gentlemen on the other side would admit that it was an unjustifiable proceeding to impute motives to members in the way in which they had been imputed in the paper complained of. If they persisted in defending such conduct, he thought the House could not do less, in vindication of its own dignity, than call the printer to the bar, that he might at least receive some admonition.

Lord *Castlereagh* said, that certainly a more detestable and wicked libel had never been published. If he had himself called the attention of the House to this subject, it was perhaps no more than he ought to have done; and he could only justify himself for having abstained from taking that course, by that self-indulgence which might be allowed to a minister. Now, however, that it was brought before the House, he must say, that to impute to him a desire to prevent the people from exercising the right of petition, was not only wicked, but absurd. He certainly had admonished the people not to present petitions, complaining of grievances, in which that House could afford them no relief; and such an admonition, he apprehended, was an act of great kindness to the people of England. But, when he was made to say, that he did not wish the people to trouble and take up the time of the House, such a calumny was evidently framed with no other view than to operate upon the mind of the ignorant, and was below contempt. Upon the discussion relative to the conduct of judge Best, he did say, that the people ought to be admonished, that that House was not a court of appeal; and certainly there could not be a greater misfortune to individuals, than that they should be misled as to the course of remedy which it was right to adopt. The admonition was given by him in the true spirit of the constitution; and no fair man who heard him, could impute to him any desire of interfering with the general right of petitioning.

Lord *A. Hamilton* thought the best course would be to withdraw both motions. He must say, however, that it appeared to him, that an unfair interpretation was given to the paragraph in question; that there was no assertion whatever that the majority had voted for the admonition to the people; and it was unfair to argue that motives were imputed to them by implication.

Mr. *Hutchinson* did not mean to defend the paragraph in question, but rose in consequence of what had fallen from the noble lord opposite. The noble lord had said, that no fair man could possibly have misconceived his meaning. Now he apprehended that he had the character of being a fair man; yet he certainly understood the noble lord on that occasion to have read a lecture to petitioners approaching that House. The noble lord had indeed subsequently explained his expressions; and he was bound to give him credit for that explanation.

Mr. *Monck* said, he had heard the paragraph read, and certainly did not think that it deserved the censure of the House. It did not say that the House had sanctioned an admonition to the people, but threw the blame of such admonition on the noble lord. If it had said that the minority were against the motion of the noble lord for an admonition, it might be blameable; but surely no one could think that the House would vote on an admonition.

Lord *Castlereagh* observed, that if the hon. member was counsel for the editor of the paper, he was not a very judicious one; for if he meant to say that the attack was not on the House, but on an individual member of it, and because it was upon that individual, it was therefore to be excused, he would drive the House to that notice of it which he should regret.

Mr. *S. Wortley* said, he had put it on the footing of a libel on the majority of that House; but still he was prepared to withdraw the motion, provided the libel was not defended. If, however, he found even one member defending it, he would take the sense of the House upon it.

Mr. *J. P. Grant* said, that the paragraph complained of did not, in fair construction, admit of the interpretation which had been ascribed to it. It was stated, that the minority voted against the admonition of the noble lord, not against any proposition made to the House, but against the principles and sentiments of the noble lord. He hoped both motions would be withdrawn.

Mr. *Hobhouse* said, he did not think that the House had the power to commit the printer.

The *Speaker* said, that the power was not to be questioned by any member, when a case of privilege was brought before them. The hon. member might submit the consideration by itself; but it was clearly disorderly to question the power on the present motion.

Mr. *Hobhouse* said, he would only observe, that the paragraph appeared to have been totally misapprehended. It was very possible that the minority might have voted under an impression which did not at all influence the votes of the majority. Nothing whatever was imputed to the majority. At the same time, he must say, that he did not think this was a fit subject for the deliberation of the House. It was quite clear, that this was nothing more than a political squib. Scarcely a day passed in which the worst motives were not imputed to public men; for his own part, he was constantly held up, by a certain portion of the press, as a man desirous of overturning the constitution. He thought the hon. member had better withdraw his motion, and unconditionally, for he really could see nothing wrong in the paragraph complained of.

Mr. *S. Wortley* said, that the question had now assumed such importance in his mind, that he could not consent to withdraw it.

Colonel *Davies* said, that if the printer should now be called to the bar, it would not be for any offence of his own, but because the hon. member would not withdraw his motion.

Mr. *Bennet* said, he was not at all inclined to persist in his motion for adjournment, if the hon. gentleman would also withdraw his motion.

Mr. *Barham* said, that in point of fact what the printer had stated was strictly true, for the minority had voted against the admonition of the noble lord.

Mr. *Bathurst* contended, that there could be no other ground for withdrawing the motion than the admission required, of the passage being an unjustifiable attack on the majority of that House. The complaint could not be abandoned on the ground that it was unfounded. It was impossible not to consider the passage a breach of privilege, but it was not his desire to proceed farther, if the offence was not justified.

Sir *R. Fergusson* hoped the hon. member would withdraw his motion. He deprecated any libel upon that House; but he looked upon the paper in question with a different eye from the hon. member.

Mr. *S. Wortley* asked, whether he was to understand that the gentlemen opposite made a virtual acknowledgment that the passage was indefensible. [Cries of "no, no."]

Mr. *Denman* hoped that both motions would be withdrawn. He however, was not sorry that the question had been agitated, since it was an illustration of the mischief which must inevitably result from rejecting the petitions of aggrieved persons, without reading them.

The question being put, "That this House do now adjourn," the House divided: Ayes 34, Noes 155.

List of the Minority.

Barrett, S. M.
Bernal, Ralph
Curwen, J. C.
Crespigny, sir W.
Denman, Thos.
Denison, W. J.
Ellice, Ed.
Fergusson, sir R.
Glenorchy, lord
Hobhouse, J. C.
Harbord, hon. E.
Honywood, W. P.
Hutchinson, hon. C. H.
Hume, Jos.
James, Wm.
Lambton, J. G.
Lushington, Dr.
Monck, J. B.
Martin, John
Ossulston, lord
Ord, Wm.
Parnell, sir H.
Palmer, C. F.
Rice, T. S.
Robarts, Ab.
Robarts, G.
Ricardo, D.
Sefton, Earl
Taylor, M. A.
Whitbread, Sam.
Wyvill, M.
Wilson, sir R.
Western, C. C.
Wood, M.

TELLERS.

Bennet, hon. H. G.
Creevey, Thos.

Mr. Lambton then moved the previous question upon Mr. Wortley's motion; but, after some further conversation, both motions were, with the leave of the House, withdrawn.

ILCHESTER GAOL — PETITION OF CHARLES HILL.] Mr. Alderman *Wood* presented a petition from Charles Hill, a person 74 years of age, who had been confined in Ilchester gaol for 15 years. Having been appointed a collector and assessor of taxes in 1796, he went on in that capacity until 1804. In 1806, he was charged with a deficiency of 719*l.* He then sold property of his own to the amount of 467*l.*, and afterwards collected taxes that were due to the amount of 217*l.*;—there was then a balance against him of 34*l.*, and, for that sum, he had been imprisoned for 15 years. He had, in vain, petitioned the judges, the Treasury, and the House of Commons, for relief. After his petition to the House had been presented, his boxes were opened, his papers taken away and never returned, and he himself had been put on what was called the county side of the gaol and kept there ever since. He begged the House to contrast the case of this unfortunate individual with that of defaulters of 100, 200, perhaps 300,000*l.*, who nevertheless continued to receive the patronage of government. He would not then go into any statement with respect to Ilchester gaol itself, except to state one or two facts. One was, that the prisoners were locked up at five in the evening, and not let out till seven in the morning. Among the debtors was a female quaker, imprisoned for a debt incurred by giving security for her brother. Mr. Hunt also was one of the inmates of that prison. It was his intention, in a few days, to move for a committee to inquire into the state of Ilchester gaol.

Mr. *Creevey* requested that gentlemen would attend to this fact, that Charles Hill, 74 years old, had been confined 15 years for owing 34*l.* to the Crown, while Mr. George Villiers, a debtor to the state to the extent of 100,000*l.*, was allowed to ride and walk about just like other people. There certainly ought not to be one law for the poor and another for the rich.

The *Chancellor of the Exchequer* said, that the Treasury had nothing to do with the case; the Crown had merely instituted the process for the benefit of the parish that had been defrauded. It was for the parish therefore, and not the Treasury, to show mercy.

Mr. *Dickinson* said, he had often heard that Hill might have been liberated, if he would give up certain property. He had driven the trade of an attorney in the gaol, and had made considerable profits by his practice. There were two visiting magistrates to the gaol, and before every quarter session a number of gentry surveyed the prison; and if any man had a complaint to make, it was heard by them. He had heard that it was once a part of the worthy alderman's duty to go down to Ilchester gaol to examine it, but that, instead of going into the prison, he had made his report to the city of London from a printed book put into his hands.

Sir *T. Lethbridge* was satisfied that if the state of the gaol were inquired into, it would be found to be conducted in a most perfect manner.

Dr. *Lushington* said, that as one of the members for Ilchester, he had investigated the case, and found, that though many of the facts stated in the petition were true, they assumed a different colour when accompanied by the explanation. It was true that this unhappy man had been confined ever since 1806, for only 34*l.*; and that if he had executed certain deeds, he would have been discharged long ago. Four years had, however, elapsed since he had consented to execute those deeds. If he had been originally to blame, surely he had expiated his offence. The prison being below the bed of the river, was necessarily damp and unwholesome. The greatest pains were nevertheless taken to obviate these evils. The gaoler had been highly successful in introducing a variety of beneficial reforms.

Sir *I. Coffin*, knowing perfectly well the character of the gaoler, bore testimony to his humanity and good conduct.

Mr. Alderman *Wood* said, that with another magistrate of London, the town clerk, and a surveyor, he had visited the prison, and had remained in it for some hours. At the time that the petitioner was treated in the way described, a person charged with fraud, Mr. Kinnear, was living in the house of the gaoler.

Mr. *Baring* said, he had received a statement from one of the magistrates of Somerset upon this subject. It appeared that the city of London sent out a sort of pilgrimage to inspect the gaols of the kingdom—that a city deputation, consisting of two aldermen and the town clerk, visited the town of Ilchester; they stopt at the principal inn, and, like a true city deputation, they had an excellent dinner; but, unfortunately, they remained so long at dinner, that, being in a great hurry to go away, they actually left the town without visiting the gaol. This did not, however, prevent them from making a report, describing the internal state of the building, the situation of the pump, &c., all of which, unluckily for their statement, had been altered about a year before, and it was thus that a discovery was made of the manner in which they had exercised their inquisitorial functions. [Hear! and a laugh.]

Mr. *Dickinson* said, he had received a statement of particulars confirming what had just fallen from the hon. gentleman.

Mr. *Wilmot* asked the hon. alderman, whether he had in fact visited the interior of the prison?

Mr. *Bernal* objected to this mode of interrogation.

Mr. *F. Buxton* observed, that the information he had received from the gaoler was that he had been sent for by the hon. alderman and his colleague, who made inquiries of him relative to the state and system of the prison. As far as his own experience went, he had never seen any place of confinement under such excellent regulation. The gaoler had introduced a system of labour, by which the prison discipline was aided and enforced to a degree which did honour to the country.

Mr. Alderman *Wood* said, that the hon. member (Mr. Baring) should not have harshly contradicted a member of that House who stated that he had been in the gaol for two hours. One hon. member had said, that the gaoler had been sent for to the inn; he denied it. He had been appointed, with others, to inspect the different gaols in the kingdom, under the authority of lord Sidmouth. The inspectors did not feel that they were bound to find fault: their principal object was to state the size of the rooms, the conduct of the prisoners, the hours of locking up the gaol, &c.

Ordered to lie on the table.

ARMY ESTIMATES.] The Chancellor of the Exchequer having moved, "That the order of the day for the House to resolve itself into a committee of the whole House, to consider further of the supply granted to his majesty be now read,"

Mr. *Creevey* said, he felt it his duty to oppose the motion. They had hitherto voted nothing more than the annual malt duties; but they were now on the point of proceeding to vote specific sums upon estimate. He thought it right, therefore, that they should bear in mind what their situation was; during the seven weeks that they had been sitting, there was scarcely a day on which petitions had not been presented, setting forth distresses and grievances of every kind. In no one instance had it happened that those complaints were not borne out by statements of hon. members. The government had, however, taken no steps to afford redress, had held out no hope that the causes of complaint would be lessened or withdrawn. Two attempts had been made, one by the hon. member for Abingdon, who had proposed the removal of 2,000,000*l.* of taxes, and another by the hon. member for Cumberland, both of which had met with the same fate. In other words, two applications to reconsider the present system, and to alleviate the public burdens, had already been made and rejected. Having thus turned their backs upon the country, they were now preparing to vote away the public money with as much apathy, as if, instead of being on the verge of bankruptcy, we were in a most flourishing situation. What, then, was the course which under such circumstances it was incumbent on the House to pursue? It was impossible for him to participate in that insensibility towards the distresses of the nation, which the House was too much in the habit of showing. He was far from wishing to give offence to individuals; but he must say that there were vices and defects in the constitution of that assembly, which prevented a due regard being paid to the rights and interests of the people. In the first place, it appeared by one of their reports, that seventy members of that House held offices or pensions, the emoluments of which amounted to 150,000*l.* per annum. The public had evidently no chance of fair play, whilst these annuitants were sitting in that House and deciding every question. This, then, was the first national grievance which ought to be redressed before the House resolved itself into a committee of supply. Another referred to the offices of receivers of the land tax and distributors of stamps. These he also looked upon as the property of members of that House; and if any hon. gentleman entertained a doubt of it, he had only to move that these receivers and distributors should be called to the bar, and then asked as to the value of their offices, and from whom they received them. There were seventy receivers of the land tax, and as many distributors of stamps in England and Wales, to say nothing of Ireland, all of them great sinecure offices, and all given away by hon. members to their families, dependents, or supporters. When he alluded to these sources of influence, let not the noble lord, however, suppose that he shut his eyes to the other streams which took their course also through that House, to India, to the Customs, to the Colonies, to the subject of the forthcoming estimates themselves. What an array might there be found of comptrollers, of cashiers, of accountants, and the Lord knew what! All were but parts of the same system, and were kept together at the same allowances as when money was but half its present value. By this state of things the House had become too strong for the people. With these impressions he should propose, as an amendment, " That this House will take into its immediate consideration the subject of members of this House holding offices of profit or pensions under the Crown, together with the expediency of diminishing the number thereof, it appearing to this House, from the third report of a committee of finance, made in the year 1808, there were then upwards of seventy members of this House who held offices of emolument or pensions under the Crown, amounting together to the annual sum of 150,000*l.* and upwards; and it further appearing to this House, that, in the present state of universal and unparalleled distress in which the nation is involved, no substantial relief can be expected by the people, except from an independent and disinterested House of Commons."

Lord *Palmerston* said, that if he really could think the hon. gentleman serious in pressing his motion in the shape in which he had put it, he should be disposed to enter more fully into reply than he was now about to do; but, as he rather thought the motion was intended to record upon the Journals the opinions which he held, he did not mean to enter at length into the merits of the questions which the motion involved. If the hon. gentleman was serious in meaning to stop the whole supplies for the service of the country, until all the great questions to which he had referred were satisfactorily adjusted, then, indeed, the motion was a plain indication on the part of the hon. gentleman, that so far as in him lay, he was determined to obstruct the whole machinery for carrying on the government of the country. Did the hon. gentleman consider, that the vote for the payment of the army was only up to December last? Did he recollect that the mutiny act would expire on the 24th of the present month?

Colonel *Davies* wished to know from his hon. friend, whether it was his intention to press his resolution of refusing all supply until the reform stated in his amendment should take place, or until the House pledged itself to the measure?

Mr. *Creevey* said, he was not prepared to state in what supplies he should concur, until he saw the fate of his motion, upon which he should certainly take the sense of the House.

Mr. *Bennet* said, that the object of his hon. friend's amendment was, that parliament should give some pledge to the people, that as, on the one hand, they took away the people's money, so, on the other, they would endeavour to gratify their wishes and relieve their distress. He hoped he would repeatedly bring such questions before the House.

Mr. *Calcraft* said, he was not prepared immediately to decide upon so important a question as that which his hon. friend's proposition involved: neither was he prepared to take a step which went to embarrass, not the particular administration, but the general government of the country. Strong as was his hostility to ministers, he could not take this mode of gratifying any party feeling. He yielded to no man in a desire for strict economy and a constitutional reform in that House. He concurred in many of the observations made by his hon. friend; but he could not vote so extensive a measure without having had an opportunity of hearing it fully discussed. With respect to the army estimates, he should object to the amount of force proposed, thinking it too large for the exigencies of the country; but as he knew that there must be some army, and as that army must have some pay, he could not oppose going into the committee.

Mr. *Creevey* explained, that his only object was to pledge the House to take into its consideration the number of official persons sitting among them, who were directly interested in the estimates.

Sir *J. Newport* said, that though he sincerely wished the whole of the economical resolutions of his hon. friend carried into effect, he could not see how that could be done by the immediate course pointed out by his motion.

Mr. *Huskisson* reminded the House, that if the motion were carried, they could not that night go into the committee of supply.

Mr. *Monck* declared his readiness to support the motion. He saw nothing in it to prevent their going into a committee of supply. All it involved was a pledge on the part of the House to retrenchment and reform, which he thought they were bound to give to the people.

The question being put, "That the words proposed to be put stand part of the question," the House divided: Ayes, 172; Noes, 38. Majority against Mr. Creevey's motion, 134.

List of the Minority.

Althorp, viscount
Barrett, S. M.
Benyon, B.
Birch, Jos.
Bury, viscount
Cavendish, Henry
Coffin, sir I.
Crespigny, sir W.
Denison, Wm. J.
Duncannon, visct.
Fitzgerald, lord W.
Glenorchy, lord
Guise, sir Wm.
Harbord, hon. Ed.
Hobhouse, J. C.
Honywood, W. P.
Hornby, Ed.
Hughes, W. L.
Hume, Jos.
Hutchinson, hon. C.
James, Wm.
Lambton, J. G.
Lushington, Dr.
Martin, John
Monck, J. B.
Ossulston, lord
Palmer, C. F.
Pares, Thos.
Parnell, sir H.
Phillips, W. R.
Ricardo, D.
Sefton, earl
Talbot, R. W.
Webbe, Ed.
Whitbread, Sam.
Wilson, sir R.
Wood, M.
Wyvill, M.

TELLERS.

Bennet, hon. H. G.
Creevey, Thos.

The Chancellor of the Exchequer then moved, "That Mr. Speaker do now leave the chair."

Mr. *Hume* said, that in rising to object to the motion, he could assure the House that he did not adopt this course with any wish to oppose unnecessarily the business of the committee of supply. His object was to place upon record the present state of the military force and expenditure of the country compared with its state at former times. He reminded the House that the committee of finance of 1817 recommended the adoption of the same military expenditure that was estimated for 1792, and which the committee deemed sufficient, or nearly so, for every exigency. It was impossible, without the most rigid economy, to afford relief to the country; and they were bound to adopt every economical recommendation, and more especially when such were sanctioned by the investigation of one of their own committees. The chancellor of the exchequer had a few nights ago led them to believe that there would be a saving of upwards of 1,000,000*l.* sterling in the estimates for the year. After looking at these estimates, he could not see where such a saving was to be effected. The estimates for the army this year were stated at 6,643,968*l.*; but he begged the House to recollect that the sum was only two-thirds of what they would be called on to vote before the termination of the session. Last year the estimates amounted to 6,897,000*l.*; but if any hon. gentleman looked at the act of appropriation, he would find that the several sums voted last year for the army amounted to more than 9,000,000*l.* there being here a difference of 3,000,000*l.* voted away in driblets, after the regular estimates had passed the House. It was indeed a fact worth notice, that nearly fifty votes had been taken for the military establishment of the country. Hon. gentlemen might perhaps suppose that the 6,000,000*l.* standing on the estimates was all that they would be called upon to vote for the army; but he now warned them that before the close of the session they would find 9,000,000*l.* required for the military department alone, exclusively of the Ordnance, which ought to be an item of the military establishment.

His object was to make the charges of the army at present approximate as nearly as possible to that of 1792. It appeared that corn was now at the same price as in 1792, and he saw no reason why there should not also be something like equality in the expenditure. In the year 1792, there were 15,919 men for Great Britain, and 17,323 for the colonies. In Ireland the House of Commons voted at first 12,000 men, and afterwards 3,232 were added, so that there were in all in Ireland 15,232 men and officers. In Great Britain, Ireland, and the colonies, 48,474. At present, we had in Great Britain 27,852 regulars; in the colonies 32,476; and in Ireland 20,778, making a total of 81,106. He entreated the attention of the House to the fact, that we had at present 32,632 men more than in 1792. He was willing to make an allowance of 12,000 men more now for the extended establishments of the country; but still he found a surplus of 20,000 regular troops. He would not recommend the reduction of such a large force at once; but he would certainly wish to see 10,000 men reduced, which would allow 12,000 men for the colonies, 2,000 for reliefs, and leave a surplus of 10,000 beyond the year 1792, an allowance sufficiently liberal. In 1792, the number of the artillery was 3,730, and from 4,000 to 5,000 marines. He found no charge made in that year for staff-militia, and, therefore, he did not know whether they were embodied or not; but he should suppose that all the militia called out in 1793 were ready to be organized in 1792; and, joining them to the artillery, he found a force of 25,757 irregular troops, as he would call them. At present we had 7,872 in the Ordnance department, while the marines had been augmented to 8,000. By an estimate he held in his hand, he found that we had at present 51,998 militia. In Great Britain there were 37,391 yeomanry and volunteers ready to be called out, and in Ireland 20,231 volunteers. Taking, therefore, the whole of these, we had in the United Kingdom a force of 125,492 men in arms, or ready to be called out. Let the House then compare the establishment of 1821 with that of 1792, and let those gentlemen who complained of agricultural distress, consider whether it was not their duty to reduce the public expenditure, and thus lighten the public burthens. Bearing these estimates in view, it was impossible that any gentleman could have economy at heart, and not vote for a reduction of the military force.

He would next call their attention to the unavailable part of the military force, comprising the life-guards, the horse-guards, the foot-guards, the dragoon-guards, and the dragoons; and as these were the most expensive regiments in the service, he believed the House would agree with him in thinking, that there was no reason why there should at present be nearly double the number of life-guards and foot-guards that had been found necessary in 1792. The life-guards and horse-guards were increased by 360 men since 1792; the dragoon-guards, in 1792, were 696—in 1821 they were 2,668 men, being an increase of 1,972; the dragoons in 1792 were 2,080—in 1821 they were 5,152, being an increase of 3,072; the foot-guards in 1821 were 5,760—in 1792 they had been 3,126—the increase was

2,634. He begged to observe, that none of these troops could be sent to the colonies; they were chiefly confined to the duties of the metropolis, in which there was an unnecessary number of guards and sentinels. In 1792 there were in the metropolis 363 men, horse and foot, employed in the guards of the metropolis, relieving 159 sentinels; in 1816 (the time when the last return had been made) there were 936 men on guard, affording 238 sentinels. The expense of the troops who did this duty was much greater than that of troops of the line. The expense of the life-guards was 70*l.* per man; of the dragoons, 48*l.* 10*s.*; of the foot-guards, 34*l.*; of the infantry of the line, 31*l.* He should have no hesitation, therefore, in proposing a considerable reduction in the horse-guards, life-guards, and dragoons; because, even if they were not more expensive in time of peace, they were less efficient, as they could not serve in colonial garrisons. He should, before parliament separated, move for an account of the average expense of supporting regiments of the guards as well as regiments of the line. He had no hesitation in stating, that even if the guards were kept up with the same economy as regiments of the line, still the duty would be more efficiently performed by the latter. In saying this he meant no reflection whatever on the horse or life-guards, he was aware that no men had conducted themselves with greater bravery and gallantry than the guards in our late campaigns on the continent. What he meant to say was, that the horse-guards were not equally available for public service with regiments of the line. For instance, we could not, in a case of emergency, send the guards to Ceylon, the Mauritius, or the West Indies. They were only fitted for home duty, and that duty, too, which was of the least public worth—that was, show and parade. The amount of those troops was three times as much now as it was in the year 1792, and being supported at an enormous expense, went to swell considerably the general account, which it was his object to reduce.

Having said thus much of the army, he now came to another branch of our expenditure, which had increased to a large amount within a few years; he meant the military staff. Indeed, the increase which had taken place in all our public establishments was almost incredible. Let any member open any page of the returns on the table, and they would find the increase enormous. They would, for instance, find many clerks retired upon an allowance as half-pay which was sufficient to support any independent gentleman. In the War-office department they would find such items as 1,400*l.* a year to the first clerk, 1,000*l.* to another, 800*l.* to another, and so on. He would ask, whether such extravagance was to be allowed in the public expenditure, at a period when every branch of our industry was suffering under great privations? He maintained, that under such circumstances we ought to exert ourselves to bring our military establishment down to the standard of 1792. According to the appropriation act of 1792, the expense of the regular and irregular troops of Great Britain amounted to 1,814,800*l.* The expense for Ireland during the same year, was 516,349*l.* making together a sum of 2,331,149*l*; while the total sum for the present year was 9,500,216*l.* showing an increase of 7,169,067*l.* Was it fit, then, that the House should go into a committee of supply without coming to a resolution on the gross amount of these estimates? It might be said, that in stating this excess, he had not looked at the charge of the non-effective force. He admitted that the expense under this head amounted in 1792 to no more than 500,000*l.* while at present it was 2,000,000*l.*; and consequently this accounted for a part of the increase which had taken place in the estimates. But he contended that, taking the aggregate amount for the years 1792 and 1821, there was a positive increase of 7,000,000*l.* exclusive of the non-effective force. As to the plan of the noble lord, for reducing the number of men in each battalion instead of reducing whole battalions, he must say that such a mode of reduction was not only contrary to the opinions of the best judges, but contrary to the opinion which the noble lord himself had expressed on a former occasion. The noble lord had in 1817, submitted a proposition to the finance committee, in which he maintained that 8,000 men might be kept up in the form of 10 battalions, for 74,000*l.* a year less than it would cost to keep up the same number in the form of 20 battalions; and, therefore, upon the noble lord's own principle, if the 93 regiments of 650 rank and file each, which formed our present establishment, were thrown into 75 regiments, of

800 rank and file each, there would be a reduction of expense to the amount of 212,000*l.* He knew that there were persons who differed altogether from him upon the merits of that system of arrangement, and who said—"let us have skeletons of regiments for the convenience of rapid filling up;" but surely 75 regiments of 1,000 men each, with the aid of second battalions giving a force of 150,000 men, would be sufficient for any emergency. It was objected, that there were legal difficulties in the way of the course which he advocated—that men could not legally be drafted from one regiment to another; but why not adopt the measure pursued in India, and suffer men to volunteer from one corps to another encouraging them by small bounties or by the hope of promotion?

He would now briefly take notice of the Staff, a department throughout which, in the committee, he intended to insist upon reduction. It was almost too much to look back to the cost of the Staff in the year 1792, only 6,427*l.*; and to advert to the amount at the present day, 28,485*l.*; giving a difference of 21,958*l.* Of this enormous increase 15,782*l.* was to be traced to the commander in chief's office, an office which did not exist in 1792 or 1794; and he meant no reflection upon the royal duke at the head of that office, nor upon those who acted under him; for he thought that the duty at the Horse Guards was done as well as that of any office under government; but still he called for reduction, because the thing, however well done, was done upon too expensive a scale.—But, he should go farther, and look at the expense of the staff maintained abroad. The expense of the staff in the West Indies, North America, and the Mediterranean, in 1792, was 17,000*l.*; in 1802, it amounted to 19,935*l.*; and in the year 1820 it stood increased to 82,529*l.* being, for the old colonies, which formerly cost 19,935*l.*, 51,490*l.* and for the new colonies 31,039*l.* Now, considering that England was at peace with all the world, that she was in a situation to reap, if she could ever reap, the advantages resulting from the treaties and alliances which the noble lord opposite had so fortunately brought to bear, certainly she could not need even so heavy an establishment as she had maintained in 1802. Of what advantage was peace, if we were to continue keeping up our war establishment? To him it appeared that the truest and the cheapest mode of defending our colonies was to give them an interest in defending themselves; to get rid of the system which refused to our fellow subjects of the colonies the birthright of Britons. What had been our policy? We had refused to the Mauritius, to Ceylon, to Trinidad, and to Malta, the privileges and protection of the British constitution. Did the noble lord recollect the noble defence made by about 500 Dutch troops when the Cape of Good Hope was first attacked by several British ships of war? Did the noble lord suppose that Englishmen would fight less bravely on a similar occasion? No: but the difference was this, the Dutch had their rights and privileges to fight for, while our colonists have no such rights to defend. The only privilege of this constitution which had been extended was the trial by jury to Ceylon, and even that concession went far to tranquillize the minds of the inhabitants. He had on a former occasion stated, that our new colonies ought to pay for the protection afforded to them; and so they would, if they were not obliged to pay 10,000*l.* to one man, 5,000*l.* to another, and so on. This money was paid, in great part, to sinecurists and pensioners, sent out from this country by government influence. In page 6 of the army estimates was to be found a single item of 1,048,000*l.* for paying and clothing of colonial troops. Before we got possession of those colonies they supported themselves; when we got possession of them, not only did they absorb the whole of their revenues, but they became a drain upon this country. What else could be expected, when they were obliged to pay thousands to men who did not reside in them, and to boys who had never seen or perhaps heard of them? He was not one who would advise the giving up of any one of our colonies; but he would have them made to contribute to their own support.

The hon. member proceeded to state the expenses of the new colonies when we first got possession of them with what they now cost, and contended that, unless the present system was altered we should lose, rather then derive advantage from them. Adverting to the expense of hospitals, he observed, that the expense under that head in 1792 was 23,450*l.* whereas at present it amounted to 132,484*l.* The war department, consisting, in 1796, of twenty-one clerks, cost 8,227*l.*;—on an average of the last 10 or 12 years, it cost upwards of 60,000*l.* a-year. The office of the secretary of war now consisted of two departments, one for correspondence and accounts, which cost 34,118*l.*; the other for making up what were called the arrear accounts. The business of the office having been in arrear, it was thought better to appoint a separate department to make up those accounts, and let the other clerks go on with the usual business. It was given in evidence before the military commission, that the arrear accounts could be all made up in three years; now, though several years had elapsed, they were still unfinished; and would continue so as long as that House voted the sum proposed for paying that department. He, for one, was of opinion, that these accounts ought not to be brought up: he thought it too bad, that widows and orphans should be now called upon to account for the acts of their husbands and fathers, or for the negligence of government; he was convinced that the collection was productive of much vexation and hardship to the parties from whom it was taken. Suppose he had been a paymaster, and had tendered his accounts, which had been refused by government, would it not be too hard to call upon him at the end of 30 years, for those accounts, when, perhaps, it would be difficult, if not impossible, for him to make them out? He thought that no account of more than ten or fifteen years standing ought to be called in. Little saving could be made by the money called in, as the office itself cost the country 17,136*l.* a year. The hon. member, after enumerating several other considerable items of expenditure in the War-office and military staff, concluded by observing, that it was unfair, when such opportunities for retrenchment offered, to call upon the country, pressed as she was by mutiplied distresses, to support so large an expenditure. He then moved to leave out from the word "That" to the end of the question, in order to add the words, "That it appears, by the official returns before this House, that the total military establishment of Great Britain and Ireland for 1792 (exclusive of the East Indies, and of the artillery, militia and marines), consisted of 48,474 men, namely, 15,919 for Great Britain, Guernsey, &c.; 17,323 in the colonies abroad; and 15,232 in Ireland; and, that the total military establishment of Great Britain and Ireland for 1821 (exclusive of India, the militia, and marines) consists of 81,106 officers and men; namely, of 27,852 in Great Britain, Guernsey, &c.; 32,476 in the colonies abroad; and 20,778 in Ireland.

Sir *R. Wilson,* in seconding the amendment, coincided with his hon. friend in his views of general retrenchment, but deprecated any sudden diminution of the military force of the country.

The question, "That the words proposed to be left out stand part of the motion" was then put and agreed to. The Speaker was about to put the question for his leaving the chair, Mr. Hume said that he had intended to allow a negative to pass against his two first resolutions, and to divide the House upon the third. Under the present circumstances, however, he did not clearly see how that measure was to be carried into effect. The Speaker said that the House having decided that the words proposed to be omitted should form part of the question, that question must be put to the House.

Mr. *Tierney* thought that the value of the resolutions proposed by his hon. friend would be lost by the course just proposed. At that late hour it would be out of all question, to go into the army estimates. The better way would be, to adjourn, and so give his hon. friend an opportunity of shaping his motion on this important subject.

The question "that the Speaker do leave the chair" was then put and negatived, and the committee was deferred till Monday.

HOUSE OF COMMONS.

Monday, March 12.

Roman Catholic Claims.] Mr. *Butterworth,* on presenting a Petition against the Claims of the Catholics, from the parish of St. Dunstan's, London, said, that having been unable to attend the late debates upon this subject, he would briefly mention some of his reasons for concurring with the present petition. With all possible respect for the motives of those who supported the resolutions, he conceived them to be grounded on mistaken principles. It was not because Roman Catholics held the doctrines of transubstantiation, the adoration of the Virgin Mary, and the sacrifice of the mass, &c. that our ancestors excluded them from high offices and seats in parliament; but on account of their intolerant spirit in civil and religious affairs, and their dangerous acknowledgment of a foreign supreme jurisdiction over this country. The oaths and declarations were a mere test to ascertain who were Roman Catholics. Although this was not a subject of clamour out of doors, yet it would be much more lastingly felt than the evanescent politics of the day. If the bills now before the House should pass into law, they would transfer discontent from Ireland to the Protestant population of this country, as well as afford great dissatisfaction to the Protestants there. He entertained no fear for the stability of the Protestant religion, even if it were separated from the state, because he believed it to be founded upon the principles of eternal truth; but as the Protestant church and the state were in this country united, he should deeply lament if what God, by his providence, had joined together, should, by the adoption of the measures now before parliament, be put asunder. But if Roman Catholics were to change their intolerant principles, and renounce the supremacy of the pope, he, for one, should have no objection to their possessing political power, notwithstanding the peculiar doctrines of their church. The spirit of that church was, however, evident, from various documents issued by the present pope. He should only instance one, viz. the instructions of that pontiff to his nuncio at Vienna, in 1805, in which he maintains the pretended right of deposing heretical princes, and deplores the misfortunes of those times, which, as he says, prevent the spouse of Jesus' Christ (the church) from putting those holy maxims into practice, and constrain her to suspend the course of her just severities against the enemies of the faith. The petition alluded to the Jesuits' college established in Lancashire. That order had been revived by the present pope, although it had been found so dangerous to the peace and well-being of society, that it had been put down by the common consent of all the courts of Europe. He conceived that Roman Catholics, if they possessed political power, never would consent to pay tithes in support of a Protestant ministry, which they considered as belonging to an heretical church. As tithes were before the Reformation in the hands of the Roman Catholics themselves, and had been looked upon by them as the patrimony of St. Peter, they could not, in their opinion, be alienated by any temporal authority, nor become property of a Protestant church. He, therefore, thought that a general commutation for tithes should at least precede any concession of the Roman Catholic claims; but as a sincere friend to civil and religious liberty, he must confess himself opposed to the admission of Roman Catholics to political power.

Ordered to lie on the table.

ARMY ESTIMATES.] Mr. *Hume* stated, that he had on a former night submitted certain resolutions to the House, but the forms of the House prevented them from being entered on the Journals, and he was anxious that his opinion on this subject should be put upon record. He would therefore offer them now, without any further observation than that they contained only matters of fact, and pledged the House to no immediate extent of reduction, but only to the general principle of economy. He would move, "That there were in the service of Great Britain and Ireland in 1792 (exclusive of the regular cavalry and infantry) 25,757 troops; namely, 3,730 of royal artillery, 4,425 of the royal marines, and 17,602 of disembodied militia; and in 1821 (exclusive of regular cavalry and infantry) the number of 125,492 troops; namely, 7,872 engineers and artillery, 8,000 royal marines, 51,998 disembodied militia, and 57,622 yeomanry cavalry and volunteer infantry, being in number a larger force by 132,367 men, available for purposes of government in the year 1821, than the government had in 1792; that the supplies for the expense of the military establishment of Great Britain and Ireland in 1792 were 2,331,149*l.*; that the supplies voted for the military establishment of Great Britain and Ireland for 1820 were 9,500,216*l.*; that the army estimates for 1821, now submitted to the House, are only 163,498*l.* less than those of 1820: and that it is the opinion of this House, that under the present circumstances of the country, it is expedient to adopt measures to effect a large reduction in the number and expenditure of its military establishments, and to approximate as near as possible to the establishment of 1792, as recommended by the finance committee of 1817."

Lord *Castlereagh*, before he gave his vote upon the question, wished to know what was the object of the hon. member in submitting his resolution to the House.

If it was merely for the purpose of having his opinion inserted on the journals, there would be no difficulty in acceding to it. But if it went to pledge the House to any extensive reduction upon the estimates about to be proposed, then he thought that it ought not to be acceded to, until those estimates were before the House. In the committee, the different heads of the estimates might be objected to. But he submitted, that the natural course was first to hear those estimates and then object to them.

Mr. *Hume* wished the noble lord to consider, that he moved this resolution in the way of an instruction to the committee, or as a principle laid down upon which the committee should act. And of what use could such a resolution be, after the committee was appointed? The noble secretary at war ought to assign a reason why his proposition should not be adopted; and if he could assign no reason, the House ought to adopt it.

Lord *Palmerston* said, it was not his intention to go at any length into the argument of the hon. member, because it would be improper to enter into a discussion of it before the consideration of the army estimates. With respect to any reductions which it might be proper to make in them, the proper time for proposing them would be in the committee of supply; and as to the hon. gentleman's resolutions of fact, he must assert that that name could not be truly given to them. In summing up the number of men employed in 1792, he had summed up 3,200 men twice over. In the resolution now proposed, he had stated the number of troops in service, exclusive of the regular cavalry and infantry, to be 25,757, in which he included 17,602 of disembodied militia. Now, he had not included in his list 19,000 militia-men, who were afterwards embodied. The hon. member had likewise said that in 1821 the force available to government was greater by 132,367 men than it was in 1792; but if he would cast up his own totals, he would discover that the difference did not amount by some thousands to the numbers which he had mentioned. The hon. member was not more exact as to his money accounts. He had excluded from them all the charges for the disembodied militia, and was wrong in certain items, which the noble lord proceeded to point out. Thus he was incorrect both in his historical and arithmetical facts. He recollected that he had heard of an ancient sage who said that there were two things over which even the immortal gods themselves had no power—namely, past events and arithmetic. The hon. gentleman however, seemed to have power over both, as he changed them just as suited his convenience. He had often heard that a little learning was a dangerous thing; he was afraid the hon. member had found it so on the present occasion; and he really should advise him to drink more largely before he again ventured to discuss matters of this nature. He had heard that the hon. member was the chairman of a self-constituted committee of finance. The resolutions which the hon. member had just moved were, he was told, the production of that body; and he was, perhaps, too severe in attributing the blunders of them to the hon. member himself. He was likewise informed that this committee had an establishment of clerks. Now he gave the hon. member fair notice, that if the discussions on these estimates were to be continued by him and his friends, as was threatened, during 21 days, he should certainly move for a return of the salaries paid to these clerks, in order to ascertain whether their salaries were greater than their attention and ability deserved. He would now move the previous question.

Mr. *Hume* rose to explain. With regard to the blunder which he was said to have committed in reckoning the number of troops employed in 1792 at 48,474 men instead of 45,274 men, he had told the noble lord that he had taken the full estimates of the year, though he knew that the number of effective men was not so great as was stated therein. It was therefore too much for the noble lord to charge him with inaccuracy upon that point. As to the number of irregular troops for the year 1821, which he had calculated at 125,492 men, he must likewise say that if the noble lord would add up the items, he would find the difference between the numbers employed in 1792 and 1821 to be what he had stated. He likewise maintained that he had correctly stated the number of militia embodied in 1792; and that the money accounts to which he had referred, were to be found in the 47th volume of their journals, just as he had inserted them in his resolutions. With regard to another observation of the noble secretary, he begged leave to assert that he had drawn up the resolutions himself, and had afterwards submitted them to the inspection of two or three of his private friends. As to any establishment of clerks, he could only say that he wished the noble secretary would transact the duties of his office with the same attention to economy. He had no clerks to assist him in making out the items of his resolutions; but he had no doubt that if he wanted them he could find many persons who would act as volunteers in that capacity.

The previous question being put, "That the question be now put," the House divided: Ayes 74; Noes 98; majority against Mr. Hume's resolution, 24.

The House having resolved itself into a committee of supply, to which the army estimates were referred,

Lord *Palmerston* proceeded to open the estimates for the military service of the ensuing year. He began by observing that it was not his intention to trespass on the attention of the House, further than to draw a general outline of the proposed service. There were two principal points which offered themselves as characteristic of the estimates which he was now about to unfold, and these were a reduction of establishments and a diminution of expense. Wherever an increase of expense appeared on some particular head, it was to be ascribed to the operation of some fixed and certain rule laid down by parliament itself, and entirely withdrawn from the control of the executive government. He should endeavour to explain to the committee the mode in which these reductions had been brought about, and the principles observed in accomplishing them. One of the chief branches of our military force to which the operation had been applied was that known by the name of veteran battalions, a force raised at a period when the country was threatened with imminent danger, and which the government therefore stood pledged to lay down whenever the altered state of the country should permit them to do so. It would be found that government had been faithful to its pledge. As compared with the force and military expenditure of last year, the estimates would discover a reduction of upwards of 9,000 men, and a saving of 145,000*l.* If they referred to the year previous to the last, when the reduction of the veteran battalions chiefly inland commenced, the entire saving would appear to be not less than 374,000*l.* A sum of 50,000*l.* had been saved by adopting a suggestion of the hon. member for Corfe-Castle, to whom the House and the public were indebted for many similar improvements, the suggestion being to apply the pay of the non-effective men to miscellaneous services. On the staff there was a diminution of 7,000*l.* arising from a reduction of two majors-general and of a lieutenant-general in Ireland. There were other retrenchments amounting to 17,000*l.* to which was to be set in opposition an increased charge on some of the volunteer corps of 19,000*l.*; the whole presenting, upon the heads just enumerated, a total diminution of 367,000*l.*

The next subject of estimate was India. On the establishment of the military college there would appear a decrease of 2,700*l.* which, together with the reduced allowances of general officers on the superannuation list, would form a sum of 4,500*l.* The garrison service would be found to afford a saving of 175,000*l.* The charge for supernumerary officers was 40,000*l.* exhibiting an increase produced or rendered necessary by some of the reductions. On the foreign half-pay there was a decrease of 4,046*l.* and at Chelsea and Kilmainham, there was a diminution of 1,369*l.* at the former place, and of something above that sum at the latter. At the royal military asylum the reduction was 3,200*l.* and the charge for widows' pensions was increased to 6,000*l.*, a charge rendered higher than it would otherwise have been by the new regulation, allowing them to retain their pensions, after they had again married. There were other small sums, such as 676*l.* saving, under the head of expenditure, for adjutants of local militia, &c. but the whole account, as compared with that of the last year, whilst it presented an increased charge on some branches of 123,000*l.*, left, as he had before stated, a result on the present estimates of 9,800 men reduced, and a curtailed expenditure of 145,000*l.* This, however, it was true, formed but one part of our military service, and he was perfectly disposed to state at once to the committee all the military votes which it was in his contemplation to bring forward. The hon. member for Abingdon (Mr. Maberly) had, a few nights since, recommended that the army estimates should be brought within the line drawn by the finance committee of 1817. That committee had then calculated the expenditure at 8,500,000*l.* exclusive of the disemboided militia, the charge of which they thought might be met by savings in other quarters. It included, however, the Barrack and Commissariat departments; and in their report 11,000*l.* was allowed for the expenses incidental to the return of our army from France. Adding to this, 269,000*l.* for the service of the Ordnance, the whole charge with the exception of the permanent staff, according to the calculations of the committee, amounted to 8,760,000*l.* Now for the ordinary service of the ensuing year he should propose a sum of 6,643,968*l.*, and for the extraordinaries 1,200,000*l.*, for the Commissariat 551,569*l.* and for the Barrack department 237,500*l.* There would likewise be a charge of 90,000*l.* for training militia, being less than the charges under these heads of the last year by the sum of 266,000*l.* If, therefore, they were not yet brought within the limit recommended by the finance committee in 1817, a comparison of them separately with the same branches of expense in former years would exhibit a reduction of 144,919*l.* in the extraordinaries; 200,000*l.* in the Ordnance; 74,000*l.* in the Commissariat; 117,000*l.* in the Barrack department, and 50,000*l.* voted last year, and not applied, for clothing the Irish yeomanry. The sum of 80,000*l.* voted last year, for the formation of veteran battalions, and of 40,000*l.* for training the disembodied militia, would be likewise saved in the present. The whole, as compared with the expenditure of the preceding year, would form a reduction of 707,000*l.*

And here he would have sat down, had it not been for what had fallen from the hon. member for Abingdon on a former evening. The hon. gentleman had referred to the year 1792 as the standard by which the military force necessary for the present year ought to be measured. Now he must utterly reject the establishment of 1792 as forming a fair ground of comparison with the establishment of the present year. The hon. gentleman did not advance a single step towards establishing his proposition, unless he could first show that the circumstances of the country at present, were the same as those of 1792. Now, he called on the committee to look first at the internal situation of the country at the present moment —he did not mean in a civil but in a military sense. Let them recollect how many public works had been constructed during the war, which it was necessary to maintain and protect, otherwise their dilapidation would expose the country to the much greater expense of repairs. There had been a great accumulation of military stores and depôts, which it was necessary to guard. If the committee looked at the external condition of the country, it would immediately remark that, since the year 1792, there had been an increase of our colonial possessions, which rendered it impossible that the military establishment of that period should be adequate for the demands of the present. In 1792, the number voted for the army, for Great Britain and Ireland, including officers, was 48,474. Such was the number voted. But he must farther state, that that was not the number of men actually in service. The number was never reduced so low. By the official returns, it appeared that there were about 1,600 more than that estimate. Comparing, therefore, the number in 1792, with 81,106, the number at present, there was an excess at present of about 37,000, officers included. Of those, 15,299 were employed in the new colonies, viz. the Leeward Islands, Malta, the Ionian Isles, the Cape of Good Hope, the Settlements on the Coast of Africa, the Mauritius, St. Helena, and the Island of Ceylon. The committee would see that among those colonies were some of the most valuable possessions attached to the British dominions—possessions for the acquisition of which the greatest sacrifices had been made, both of men and of money—possessions which it was of the utmost importance to this country, whether in a military, in a political, or in a commercial view, to preserve. When, therefore, he stated that 15,000 men was the force assigned to garrison these valuable possessions, he was persuaded that the committee would not think it too much. He should mislead the committee if they were to understand him as considering that force by any means adequate to the defence of the colonies in question in time of war. It was only a force that was consistent with the principle which, in time of peace, ought to regulate the garrisoning of such possessions, namely, adequately to defend them from sudden surprise, in the event of an unexpected renewal of hostilities. For such a purpose, the force he had mentioned was certainly not too large. It was upon this system of precautionary defence that an addition of 2,614 men had been made to the force stationed in the old colonies, Gibraltar, Canada, Nova Scotia, Jamaica, the old Leeward Islands, and New South Wales. The latter settlement had been greatly extended since the year 1792. Van Diemen's Land was annexed to it, and the population was receiving continual additions of a nature extremely difficult to govern. In Canada, too, large tracts of territory had been cleared, and many vast forests had been brought into cultivation. Our frontier had been stretched out to a degree which necessarily called for an addition to the military strength by which it was defended. There would then remain for the service of Great Britain and Ireland, together with the islands in the Channel, an excess of 19,516 men, of which 8,826 were stationed in Ireland. It was not his intention to enter into any argument to justify this latter distribution of our military force, but he should leave it entirely in the hands of his right hon. friend the chief secretary for that country. For Great Britain and the islands in the Channel the increased force would then appear to be 10,839 men; and in looking at this excess above the establishment of 1792, he would beg to recall to the recollection of the committee, that in the course of the war our arsenals had been greatly extended, that our depôts, stores, and works had been enlarged and multiplied, and must be exposed to various injuries if not adequately protected. Amongst these he might mention Portsmouth, Plymouth, Chatham, Heligoland, Hull, Weedon, Jersey, Guernsey, besides many detached works, Dover, Teignmouth, and Berwick, from which the garrisons were now withdrawn. On these stations 5,018 men were employed beyond the number in 1792; and to this was to be added 1,000 commissioned and non-commissioned officers, leaving an excess to be still accounted for of 4,833 men. If from this they deducted the 1,600 men whom he had shown to have been kept in pay in 1792 over and above the establishment, as stated on the Journals, the increase of disposable force would not exceed 3,469 men.

Now he must remind the committee, that in the course of the war a very material alteration took place with regard to the organization of our regimental establishments. The men could not be transferred, as formerly, from one regiment to another without their own consent. The only mode of affording relief to foreign stations was now by sending out whole regiments and bringing them home in the same manner. Whilst these removals and transfers were in progress, it was obvious that defalcations must occur at home, and not only during the interval, but by the exchange of perfect for imperfect regiments. The number of non-effectives fell much more heavily on the home than on the colonial service. The whole number abroad was 32,476, which, together with 19,889 in India, constituted an aggregate force of upwards of 50,000 men. It would not, he should conceive, be maintained, that any regiment should be kept abroad for a longer term than ten years; and in order to observe this rule, it would be necessary to send out annually reliefs to the amount of 5,200 men. This, however, we had not the means of doing; and if they deducted 1,500 men as the average of non-effectives, the surplus disposeable force would be only 3,200. Taking all these circumstances into consideration, it must, he thought, be manifest, that our present establishment was not too large for the exigencies of the country.—But the organization of the regiments was another important topic; and he would beg leave to submit one or two remarks on the question, whether it would be advisable to distribute our military force into a greater number of distinct corps or regiments. There were three principles to which, in time of peace, it seemed to him of importance to adhere, in the constitution and division of a military force. The first was, that the establishment should be economical; the next, that it should be efficient; and the third, that its organization should, in the event of war recurring, be such as to enable them to recruit the different regiments rapidly and cheaply. In 1792, the regimental establishments were very low. The hon. gentleman had argued as if 800 was more economical than 400 for the reduced scale. He had already said, that there were three points to be attended to, economy, efficiency, and capacity of sudden augmentation. The establishment of 1792 was bad in these respects; and when the war took place, it became necessary to break up many of the regiments, and to make up new corps out of the fragments of the old ones. The whole presented a disconnected mass, and the recovery of some regiments was altogether hopeless. When a very small corps was recruited, so as to arrive at its complement, its character partook of the main ingredient, and it became, to all active purposes, a new regiment. Very large corps, on the other hand, as they admitted but of a small augmentation, created the necessity of forming other corps entirely new. It had been considered, therefore, that the number of 650 was that which would avoid either extreme, and combine in the highest degree the essential qualities to which he had alluded. In the present reduced state of our regiments, 34,000 men might be added to them, in order to place them on a full establishment. This, too, might be carried into effect by the simple process of adding one lieutenant to every troop of cavalry and to every company of infantry. The saving which would arise from this practice, as compared with any other mode of recruiting hitherto tried, would probably amount to 300,000*l.* upon the additional force which he had named. Such a plan did not therefore, in his opinion, merit the censure which had been cast upon it. With respect to the corps of life-guards and foot-guards being placed on a higher establishment, as compared with other regiments of cavalry or the line, and as compared with their state in 1792, the augmentation had taken place on the same principle; and the only question relative to them now was, whether it was advantageous to have any corps placed on a footing superior in point of rank and pay to others. He did not know that this advantage was denied, or that any inconvenience had been ever shown to attend it. Whether by their gallantry abroad, or their temper and moderation at home, the present regiments of guards had done any thing to forfeit their ancient claims to respect and distinction, he should willingly leave to the committee to decide. There had, however, been no great increase of this species of force in London. In 1792, the life guards and foot guards together amounted to 4,225 men stationed in the metropolis, and they at present amounted to 4,449. The regiments remained the same, and a very minute return had lately been made, which, if examined with relation to all the existing circumstances, must satisfy every hon. member that no unnecessary addition had been made.

The hon. gentleman had talked of 7,000,000*l.* as the aggregate expense of the service for the present year. The whole would amount to 8,792,000*l.*; but from this were to be made large deductions for the militia, the charges for half-pay, &c. The cost of the actual establishment would be 5,300,000*l.*; and with regard to the practicability of reducing this charge, he apprehended that the pay of the soldier would scarcely be considered as excessive: although the price of corn and agricultural produce had fallen, the fall did not always manifest itself in the prices of bread and meat, nor was any material difference to be discovered in the cost of clothing. If they referred to the situation of the officers, they would soon hear of cases in which the pay was found inadequate to expenses which it was impossible to avoid. If, therefore, there was not an overruling propriety or necessity for reducing their pay and allowances, the committee would not select, for such a reduction, a period following a war in which their heroic devotion had rescued the country from a state of peril such as it was never before exposed to. At such a time it would be ungracious, to say the least of it, to entertain a proposition of this nature. The hon. gentleman had stated on the former night that the staff in 1792 cost only 6,872*l.*, but, according to the present rate of pay, it would amount to about 18,000*l.* for the same number of officers. With regard to the foreign staff, which, he said, in 1792, cost 19,000*l.*, he was quite mistaken. In 1802, the foreign staff, cost 74,000*l.*; but the hon. gentleman had by an error taken his assertions from the estimates of Dec. 1802, which of course applied to the succeeding year.

Mr. *Hume* said, that he had compared the estimates of December, 1792, with the estimates of Dec. 1802.

Lord *Palmerston.* If so, it only showed that the hon. gentleman was wrong in both cases. But although the estimate of 1803 was made out as low as had been mentioned, yet it never had been carried into effect; for the war breaking out, the reduction proposed was found impracticable. Unless, then, the House was prepared to say, that the country must go back to the military system, or rather no system, of 1792, it was nothing for the hon. gentleman to get up and assert that such and such was the expense of the staff at that date. No man, competently informed, would really wish to see the army reduced to the state it held in 1792. Some persons might think we ought to have no army at all:

that was a clear and intelligible proposition; but to say that the army should be no more efficient now, than it was in 1792, seemed to show an almost total ignorance of its then condition. In 1792 there was no staff in England; two or three review generals were sent round twice a year to inspect the state of the regiments, and that was all. Besides, it would have been impossible then to have obtained the minute returns at present daily moved for.

Next, the hon. gentleman had contended, that the colonies ought to pay the expense of the army employed in them; but this part of the subject might be left very safely to the answer given on the former night by the under secretary for the colonial department. It was not to be denied, that in what were called the public departments, there had been a considerable increase since 1792; but the House would not forget, that though that increase had taken place, a great reduction had also been effected since the termination of the war. Comparing 1814 with the present year, the reduction was not less than 80,000*l.* Here again he would say, that it amounted to nothing to assert that in 1792 the public departments only cost the nation a much less sum than at present. The whole business was now done in a very different manner: it was now done with a minuteness and regularity of detail that almost prevented the possibility of a misapplication of the public money. This change had been the result of the laborious exertions of this House. As to his own department in 1792, there were no paymasters and no clerks, because there were no accounts to be examined; but, judging from the result, the present system was attended with a real and practical economy. For instance, the hon. gentleman had complained of the arrear accounts, and had talked of the gross injustice of compelling a man to refund, because for five years he had been able to keep the public money in his hands. Such a doctrine must have been little expected from an economist and a reformer.

Mr. *Hume* observed, that the time he had mentioned was not 5, but 15 or 20 years.

Lord *Palmerston* was ready to take it so, but still it was a monstrous proposition whether taken at 5, 15, or even 25 years. At the same time, the secretary at war was invested with a discretion on the subject; and where no improper motives existed, and where a very long time had elapsed, the successor was not always called upon to make good the deficiencies of his predecessor. He had always exercised this discretion to the best of his ability. The hon. gentleman did not seem to be aware that in this very arrear department, of which he so much complained, no less than 110,000*l.* had been recovered to the country in two years—a sum, in round numbers, equal to the whole expense of the War-office for that period. As to the superannuation and retired allowances, and the assertion that they were much too extravagant, the House would probably be of opinion that a degree of liberality ought to be shown in them. If a man had spent 20, 30, or 40 years in the public service; if he had spent his best years and applied his best faculties in his duties, he ought not to be turned off without the means of subsistence at a time of life when perhaps he could not devote his faculties to any profitable employment. With regard to the illustrious individual at the head of the military affairs of the kingdom, he had made it the whole business of his life to direct his personal exertion and his best understanding to the good of the army which he had the honour to command, and thus indulged the noblest ambition of the human mind. It was to the conduct of that illustrious personage that the country owed the present admirable state of the army; and without that conduct, not even the bravery or the genius of a Wellington would have been able to have placed this country on the proud eminence upon which she now stood. The noble lord then moved,

1. "That a number of land forces, not exceeding 81,468 men, and also 11,794 men, proposed to be disbanded in year 1821 (exclusive of the men belonging to the regiments employed in the territorial possessions of the East India company), commissioned and non-commissioned officers included, be maintained, for the service of the united kingdom of Great Britain and Ireland, from 25th Dec. 1820 to 24th Dec. 1821."

Colonel *Davies* said, that although the particular details given on a former night by his hon. friend (Mr. Hume) might in particular instances be incorrect, they were perfectly true in substance. It was not his intention to follow the noble lord through all his voluminous statements, but should confine himself to a few general observations, and should then conclude by moving, that the chairman should report progress and ask leave to sit again, in order that time might be given for the appointment of a committee up stairs to consider the propriety of generally reducing our military establishment. In this motion he could assure the House he had no wish to impede the public business; his sole object was to obtain a committee for the examination of the present abuses. As the noble lord on one side asserted that further reduction could not be made with safety; as he (colonel D.) asserted on the other, that a reduction could be safely made; and the only mode of ascertaining the fact, was the appointment of a committee which should have the power of sifting the subject to the bottom. The noble lord, in comparing the estimates of the present year with the last, had taken great credit for the proposed reduction; but it should be recollected that in the last year the country was—or at least was stated to be—in a state of civil disturbance. A comparison, therefore, with the last year was unfair: and if the comparison were carried back to the year 1819, it would be found, that so far from there being a reduction, there was an increase in the military expenditure of 50,572*l.* Was this what the noble lord had called a reduction? Was this all the country might reasonably look for in the seventh year of peace? Did not this demand some inquiry? He recollected that when this enormous expenditure was called for on a former occasion, it was said to be merely temporary. But be that as it might, he was prepared to show, that a considerable reduction might be made, without at all endangering our domestic safety, or our foreign possessions. But if, unfortunately, the House should be of opinion, that the unprecedented peace establishment of 100,000 men was not too much, then he should be prepared to show that this establishment might be maintained at an expense much smaller than the present estimate. Upon the first part of his proposition, he scarcely hoped to be able to convince the House; but if he should succeed in obtaining an inquiry, it would be as much as for the present he should expect. There could, he thought, be no ground whatever for maintaining so large a military force upon the plea of public disaffection. It was impossible for any people to bear their unparalleled distresses with more exemplary patience than the people of this country had done; and it should not be forgotten that in the course of the late proceedings in another place, they had had every excitement to disaffection, had they been at all predisposed for it.—The hon. member proceeded to a comparison of our present military force with that of the year 1787, when we were opposed to the powerful navies of almost every maritime country of Europe. He thought, that the establishment of Saint Helena, consisting of upwards of 1,200 men, was considerably too large. He did not forget that we had there confined a very extraordinary personage, and that more than usual vigilance was necessary to secure him; but still, considering the natural strength of the island, he thought the military force too large. He had the authority of the under secretary of state for saying that a larger number of troops were kept in the Ionian islands than were necessary. He then adverted to the military force in India, and particularly the cavalry branch of it. He strongly recommended a reduction of the force in that quarter of the world; and also suggested, that by diminishing the number of foreign garrison troops, a corresponding reduction might take place in the depôts at home. Upon the necessity of reducing the cavalry, he retained precisely the same sentiments he had expressed last year. He had indeed heard it said, that regiments could be supported on cheaper terms in the islands abroad than they could be at home. But was it not the cheapest, the wisest, and the most constitutional mode to disband altogether regiments for which there was no employment and no necessity? Observing upon the state of the army at home, the hon. member next adverted to the waggon train, a corps which, however serviceable in war, was, he observed, totally useless in time of peace. By a reduction of this corps a saving of 10,000*l.* a year might be made, making at the same time ample allowance for pensions and retired officers. The hon. member here entered into a calculation of the charge incurred by the travelling of the waggon train, which he observed was an enormous and at the same time a useless expense to the country. Supposing every regiment of cavalry to march a hundred miles in the year, the expense of transporting the forage-carts by the waggon train would cost 4*l.* per mile. His object was to reduce the numbers, not the allowances, of the officers and men. The noble lord had particularly urged the advantage which the country would derive from a saving of 145,000*l.* a year by the reduction of the veteran battalions. Now he thought that reduction insufficient. By the plan which he would recommend, of reducing two companies in each regiment, still leaving quite enough for the public service, a reduction of 15 battalions would in effect take place, and a saving of 375,000*l.* a year, after making all the necessary provision and half pay for the reduced parties. He should also take an opportunity of moving in the committee that an address be presented to his majesty, praying that he would be pleased to employ, as the service might require, such persons as were enjoying half-pay, in preference to granting new commissions. By adopting that course, a still further saving would be effected, besides doing full justice to the claims of those who had already served their country. He then showed, by a comparison of the number of cavalry commissions granted to persons from the Military College last year with the number of other officers put on half-pay, the saving to which the arrangement he proposed must necessarily tend.—The next department for which he thought needless expense was incurred, was the riding establishment at Pimlico, which cost 3,500*l.* a year. In his opinion, it would be much better, instead of bringing persons from Scotland and Ireland to that establishment, to revert to the order of 1819, and have the business done by persons on the spot with their respective arrangements.—Respecting the paymaster-general's department, he entertained exactly the same opinion he had expressed in the course of last year. In 1797, according to the 19th report of the commission of finance, the whole expense of that department was 9,340*l.* a year. At present, salaries alone amounted to 21,000*l.* a year, making an addition of 12,000*l.* a year. The whole expense of the public departments in the Secretary at War's-office was, in 1792, 45,245*l.*, it now amounted to 133,074*l.* The salaries bore their full share of augmentation; for in 1792, the salaries amounted only to 16,070*l.*; in 1806, they amounted to 29,970*l.* while in 1820 they were 47,819*l.* The same uncalled-for augmentation at this period was observable in the office of the Comptroller of army accounts, the expenditure of which amounted to upwards of 12,000*l.* a year. According to the 19th finance report, the extraordinaries in every part of the globe amounted to 6,000,000*l.*, the accounts of which necessarily passed through the Comptroller's-office. Now, these foreign extraordinaries did not amount to 1,000,000*l.*; and he thought it obviously followed, that as the trouble in the office became so much the less, the establishment ought to incur a proportionate reduction. At the former period to which he had alluded, when the business was so much greater, there were 2 comptrollers, at 1,000*l.* a year each, and 11 assistants. The expense then was 4,470*l.* a year. There were now, when the business must necessarily be less, 3 comptrollers of army accounts, and the expenditure for the office exceeded 12,000*l.* a year. He called upon his majesty's government to show what necessity there existed for this increased expenditure in a department where the business was so much diminished. But, what he particularly begged the committee to bear in mind was this—that although he pointed to the reductions he had named as practicable for the public service, and essential for the general interests of the country, yet he did not mean to call upon the House to adopt them at once upon his mere statement. All he asked of them was, to go into an inquiry: he merely desired that they would allow his suggestions to be fairly considered in a committee, impartially chosen from all sides of the House. This committee he thought ought not to be opposed. It was due by ministers to the petitions of the people, and they at least ought to be the last to oppose a committee formed for such a purpose, and composed of persons fairly selected from the ministerial and opposition sides of the House, together with some of the gentlemen who were considered independent of both. In such a committee, it would be seen whether his proposals for reduction were fair and practicable or not; and it appeared to him that the noble lord, and those who supported him, ought to be the most anxious of all for the appointment of such dispersed, the result must have been most satisfactory to those by whom the experiment was suggested. But the noble lord and his colleagues had drawn the strangest possible inference from the transaction to which he referred; and through that inference, 11,000 veterans were embodied without even consulting parliament, professedly because such an increase of force was necessary for the preservation of public tranquillity. For an explanation of that extraordinary proceeding, however, he would say "*vide* The London Gazette," which was filled with declarations from ministerial adherents, that the country was in danger, that disaffection was rapidly spreading, that morality had lost all its influence, that sedition was the order of the day, and that blasphemy was quite the fashion. These were the pictures upon which the veterans were embodied; and now ministers, it appeared, were anxious to take credit for economy, because they proposed to disband those corps which, in point of fact, they never should have embodied at all. He exhorted ministers, if they wished to have credit for real economy, to take a wider course in the reduction of the army. There was a time when that House would not have agreed to any vote of this nature without instituting an inquiry into the internal state and financial circumstances of the country. The present was not, however, the season for inquiry, but for implicit confidence in those ministers who were really undeserving of it. Among the instances in which they were not deserving of confidence, was the phenomenon which they had established in our police. This phenomenon was, indeed, utterly irreconcileable with the principle and practice of the constitution, and peculiarly calculated to destroy all confidence between the government and the people. He meant not the spy system, exceptionable as that system must be deemed, but the establishment of that description of persons, noticed in the report of the committee of 1817, who, being employed as spies by the government to detect treason, actually endeavoured to excite that crime. It was not merely to Oliver and Castles that he meant to refer on this occasion, but to the circumstances disclosed upon a recent trial in the Court of King's-bench, with respect to the conduct of Fletcher and others. He did not entertain an opinion that any member of the government was implicated in the nefarious conduct of Fletcher and Co.; but after the disclosures alluded to, it could not be matter of astonishment that a very different impression prevailed out of doors. Here the hon. member took a rapid review of the force proposed to be kept up in Ireland, which was confessedly in a state of tranquillity. He deprecated the idea thrown out as to the possibility of a new continental war, in order to reconcile the House to the existence of a large military force, trusting that ministers would not be unmindful of the evils entailed upon the empire by the late very calamitous war. To the noble secretary for foreign affairs he would not appeal, as he thought that that noble lord, from his close intimacy with German and other foreign diplomatists, was, with all his respect for him, actually spoiled as an English statesman. But there were other ministers to whom he looked with some confidence, for the protection of the country from any farther aggravation of its distress, by any concern in continental warfare. The hon. member concluded with expressing his intention, in the event of the present motion being carried, to move an amendment for the reduction of 10,000 men in the force proposed by the noble lord.

Mr. *C. Grant* agreed with his hon. friend (Mr. Dawson) in thinking that Ireland was at present in a state of tranquillity. He rejoiced to hear this admission, because he recollected that some months ago his hon. friend had, in prophetic tones, anticipated a very different result, and had pointed his severest shafts at him because he had presumed to express a hope that Ireland would continue in a tranquil state. He might therefore appeal to his hon. friend to reconcile this apparent inconsistency of conduct; but passing that by, he hailed the concession with pleasure. He could assure the House that he was as anxious as his hon. friend could be to reduce the military force kept up in Ireland, and to recede from a system which in that country had been pursued to too great an extent. That reduction, however, must be gradual; and the hon. gentlemen, if they reflected on the various duties which the military had to perform in that country, would see the impossibility of fixing on a definite number of men, from which the government was not to have the power of receding.

Sir *H. Vivian* remarked upon the inconsistency of those gentlemen on the opposite side of the House, who, while they urged ministers to take such measures with respect to Naples as were most likely to involve the country in war, would refuse that amount of military force which was essential to enable government to prosecute such a war with effect.—The gallant officer strongly deprecated the idea of reducing the number of our regular regiments, deeming it more expedient, especially with a view to the expeditious preparation of an army, rather to keep up a number of skeleton regiments than to be under the necessity of raising entirely new corps upon any sudden emergency. He hoped the House would take into consideration the state of the half-pay officers, who were at present so numerous, and many of whom did not receive in half-pay even the interest of the money which they had originally paid for their commissions.

Mr. *Bernal* called upon those gentlemen who were termed the neutral party, and who were constantly professing themselves the advocates of retrenchment, to support those professions by their votes on this occasion.

Mr. *Bennet* declared that it was impossible the country could support such an establishment as they were now called on to agree to. He would say, and say it boldly, that the country could not afford to pay the taxes which would be required to maintain such an establishment, and the whole country was of the same opinion. The noble lord told them it was impossible to return to the standard of 1792, but what said their own finance committee of 1817? In that opinion he concurred, and he should therefore vote for the reduction of 10,000 men from the present estimates. He proposed a return to the standard of 1792, because we had now on foot a large force which was not then in existence, and which rendered unnecessary so large an establishment of regular forces. The yeomanry cavalry, volunteers, marines, and artillery, in this country and Ireland, amounted to 168,000 men and upwards. These, in addition to a regular force on the scale of 1792, was sufficient to take away from the minds of the most timid any apprehension for the security of the country. A considerable reduction of expense might be effected by pulling down the useless fortifications which had been erected in different parts of the country. The noble lord talked of the force necessary to protect the stores. But of what nature were those stores? Sheet anchors, ships' masts, and cannon, were not very portable commodities; and surely the 6,000 marines at the several stations were sufficient for that purpose. If the House looked less at his majesty's ministers, as they sat there proposing such establishments, and more at the condition of the people who were to pay for them, they would reduce the amount of those estimates; and he was sure, in that case, the noble lord and his masters would find a way to cut down their establishments accordingly. The country was suffering under the pressure of distress, which rendered it unable to afford such a scale of expenditure. Their table was loaded with petitions, calling upon the House to relieve the distresses of the people. The only possible way in which that could be done was by reducing the establishments and lowering the taxes. If they did not adopt that course, it was in vain for them to appoint a committee to inquire into the causes of the distress. The committee might sit till doomsday, the distress would continue to increase, and the difficulties of our situation would daily become more perplexing.

Lord *Castlereagh* said, that with respect to the military grounds of the question, it appeared that the hon. gentlemen opposite did not object to the scale proposed for our foreign possessions, but only to the magnitude of the home establishment. All questions of this nature must be examined with a view to the exigencies of our situation; but he did not agree in opinion with the gallant officer, that there was any thing in the affairs of Naples which could require the addition of a single man to our establishment, and he expressly disclaimed any view of that nature. Government had not been influenced in the slightest degree by any regard to the aspect of affairs in that quarter in proposing the present estimates. With respect to the reduction of our forces at home, he would remind the House, that the establishment of last year was thought necessary to preserve the tranquillity of the country, and he must say he thought it would be highly imprudent to reduce the force all at once below the scale at which it stood before that necessity existed. They had reduced the amount which was on that occasion added to the scale; and that he contended was as rapid a reduction as was prudent;

but if they proceeded to a further reduction of 10,000 men, they would not be able to carry on the service in the colonies with the number which the gentlemen opposite agreed they required. There would not be a sufficient force to furnish the reliefs required for the colonies. The House was aware that the cavalry and the guards were not available for that service. The amount of the force proposed for Great Britain and Ireland was 48,000; of these there were about 9,000 cavalry and 6,000 guards, the deduction of which would leave only 33,000 for the home service, and to furnish reliefs for the large army in the colonies.—He objected to the course which had been taken on a former night by the hon. member for Abingdon, who opened to the view of the House very extensive details, and, without saying to what particular he objected, concluded by asserting, that some large and well-sounding sum of two or three millions might be saved. They were now in a committee, and the hon. member had an opportunity of proving his assertion in detail. The reduction that was made this year amounted to 707,000*l.* in the army, 300,000*l.* in the navy, and 444,000*l.* in the miscellaneous estimates, making a reduction of more than 1,450,000*l.* The estimates were within 36,521*l.* of the sum contemplated by the committee of 1817; but from the estimate of that committee had been excepted two considerable sums, viz. the charge of embodied militia, and the pensions created by the return of the army of occupation from France, both of which were merged in the present estimates. Even, if the hon. member were to try the case by reference to his own standard, he would find that they had actually accomplished the recommendation of the finance committee. He would contend that 10,000 men would not be sufficient to recruit the army abroad, and that a reduction of one million and a half had taken place in this year as compared with the last. The proposition, therefore, submitted to the House on a former night, was founded on a misconception, as it assumed that reduction was not intended by the government.—He felt it necessary to say a few words as to the distresses of the country. No one felt those distresses more than he did; for if there was any class of men more likely to feel for them than another, it was that class which conducted the public service, under the anxious circumstances which must always exist when a great pressure was felt by a large body of the people. There was nothing, however, less calculated to support the people under their sufferings, than the practice of deluding them with false expectations, and leading them to suppose that there could be any reduction so important as to afford them relief under all the complicated causes of their embarrassment. Though the expenditure was between 16 and 17 millions a year, yet when they came to take out of that those permanent charges for the army and navy, which might be called dead expenses, amounting to 5 millions, it would reduce the whole to between 12 and 13 millions. He would not be understood as opposing retrenchment; on the contrary, economy, wherever it was practicable, should have his warmest support; but he did protest against the language of exaggeration and inflammation. He did not see that the distress of the country could be removed or alleviated by painting that distress in glaring and unwarranted colours; and, that any such reduction could be effected in the military expenditure as would sensibly lighten the burthens of the people, was an assertion which no honest man who saw his way to the end of his proposition, could be justified in making.

Mr. *Calcraft* said, that when the force was infinitely greater than it was at present, and reductions were pressed by himself and others, the noble lord then as now, "with honeyed words framed to make senates false," said, that if they took away any part of it, the duty of the country could not be done. He was as far from wishing to practise any delusion on the country as the noble lord himself, and he would not so insult the good sense of the people of the country as to offer to them any statements which he would not seriously propose to that House; but, if the people continued to place any confidence in the statements and arguments of the noble lord, he should feel much surprised. He denied that the noble secretary at war opened his estimates by stating a reduction of 707,000*l.* He opened only a saving of 45,000*l.* If there were a saving of 707,000*l.* how did it happen that the vote now called for was not so much less than that of last year? They had the old story of reliefs. In the statement of his hon. friend, 10,000 men had been allowed for that purpose, being a fifth part of the force employed on foreign stations; and he would appeal to his hon. friend, the gallant general opposite, or to any other military man in the House, whether that was not sufficient. The home service might be reduced in the proportion mentioned by his hon. friend, and yet leave 10,000 for reliefs above the establishment of 1792. The cavalry and guards were not available for reliefs; their present establishment exceeded that of 1792 by 8,000 men. They were by far the most expensive description of force; and a reduction of 8,000 would enable them to increase the troops available for the colonial service by four thousand, and yet a considerable saving would be effected. The right hon. secretary for Ireland had contended for the necessity of the present establishment in Ireland; but during the war, when Buonaparté was at the height of his power, that country was left with only 10 or 12,000; and yet, forsooth, in a time of peace, with a large yeomanry establishment, it was contended that 20,000 were absolutely necessary. It was not a large establishment that ought to be looked to, but the comfort, security, tranquillity, wealth, peace, and repose of the people. Referring to the observation of his gallant friend, as to the affairs of Naples, if any force were required from this country in that quarter, he trusted it would be an efficient naval squadron.

Mr. *Huskisson* insisted, that his noble friend, when he opened the estimates, had stated, that reductions were made to the amount of 707,000*l.* He assured the committee that the vote of this year was less by 707,000*l.* than that of last year. The reduction spoken of by the other side of 10,000 men, would not leave a sufficient force for furnishing reliefs to the foreign stations, and doing the home duty. He maintained, that this country had still within itself resources which would furnish the means of supporting a war, if it were called on to defend its honour or its independence by an appeal to arms; and denied that the trade of the country was in that depressed condition which many persons imagined. The iron trade and the cotton trade, he contended, were improving.

Mr. *Maberly* said, that it was not his intention to delay the committee by any lengthened observation, but, having been so personally alluded to by the noble lord, he could not avoid making a few remarks. The noble lord had talked of his motion for the reduction of taxes, as if it were an attempt to delude the people. Did the division on that occasion look as if it were so considered? The noble lord had said that he was ready to go into a committee. He accepted the challenge; and if the noble lord consented to the committee, would show him that millions could be saved. Would it be said that no saving could be made in the collection of the revenue, which was now done at 8 per cent? In Ireland, it was 21 per cent, when the revenue was not much more than 4,000,000*l.* When he proposed, that this collection should be made at a cheaper rate, was it to be endured that it should be called a delusion on the people? He would tell the noble lord, that if the committee were gone into, the savings which he had suggested, aye and more, might be made. He did not propose that they should arise from pitiful and paltry reductions of clerks' salaries. He did not propose any savings from a reduction of the pay of the army. It was not the army, but the things appertaining to the army, that caused the expense. He had said that four millions might be saved; he did not mean to press the saving of that particular sum; but he would prove in the committee, that a direct saving of 2,000,000*l.* might be made in the collection of the revenue. He had been called upon to show what particular savings might be made. He would mention one case. It was known that during the war it had been found necessary to keep up a storekeeper-general's department. It might be asked, was it necessary to keep up that establishment at this moment? As a proof of that necessity he should mention one fact. By the returns made to the House it appeared, that the whole value of what was stored last year was 114,000*l.*; on which an expense of 52,000*l.* had been incurred —just 45 per cent upon the whole. But this was not all: there were duplicates of those offices in all the colonies abroad where we had ordnance officers, and where the whole thing might be done without one additional shilling of expense. We had storekeepers in Canada, Nova Scotia, Gibraltar, the Mauritius, and several other colonies. He mentioned these circumstances to show that savings might be made; but the principle adopted on the other side seemed to be this—that the storekeeper-general's department having once been established must be kept up. Now, he would contend, that a saving of the whole ought to be made, at a time when the reduction of every shilling was of importance to the people.

The cries of "Question" now became loud, and strangers were ordered to withdraw. The gallery continued closed from half past 12 till 3 o'clock. During the exclusion of strangers, several divisions took place, each of which was preceded by warm discussions. The first division was on colonel Davies' motion, That the Chairman report progress: Ayes, 95; Noes, 216. A division then took place on a motion for adjournment: Ayes, 92; Noes, 209. Three other divisions followed on similar motions, on which the numbers were as follows: Ayes, 62; Noes, 220. Ayes, 60; Noes, 212; Ayes, 48; Noes, 158.

On the motion of Mr. Gordon, that the second Report of the Finance Committee should be read, the Committee divided: Ayes, 45; Noes, 162. Another division took place on a motion that the chairman should report progress: Ayes, 47; Noes, 164. At twenty minutes past three, strangers, after an exclusion of between three and four hours, were again admitted to the gallery. Ministers were at that time sitting on the opposition benches, their places being occupied by their opponents.—Mr. Hume moved, that the act of William and Mary, for disbanding the army, be read; upon which the committee divided: Ayes, 43; Noes, 144. A ninth division took place on the question, that the Chairman report progress: Ayes, 43; Noes, 140. A tenth division took place on the same motion: Ayes, 38; Noes, 145. At four o'clock, fresh candles having been brought in, Mr. Lambton moved, that they should be excluded. On this the committee divided: Ayes, 38; Noes, 146. Lord Castlereagh then observed, that considering the lateness of the hour, he would not press the question further, as the estimates could not be got through in any reasonable time. The chairman then reported progress, and obtained leave to sit again; and at five in the morning the House adjourned.

List of the Minority on the last Division.

Barratt, S. M.
Bennet, H. G.
Blake, sir F.
Bury, visc.
Calvert, Charles
Creevey, Thos.
Crespigny, sir W.
Denison, Wm. J.
Duncannon, lord
Ellis, Ed.
Fergusson, sir R. C.
Gordon, Robt.
Harbord, hon. E.
Hill, lord A.
Hughes, W. L.
Hume, Joseph
Hutchinson, hon. C.
Lambton, J. G.
Lushington, Dr.
Maberly, J. sen.
Martin, John
Palmer, C. F.
Philips, G. jun.
Ricardo, D.
Rice, T. S.
Robarts, Abr.
Robarts, G.
Robinson, sir Geo.
Rowley, sir W.
Sefton, lord
Talbot, R. W.
Taylor, M. A.
Whitbread, S. C.
Whitbread, W. H.
Wilson, sir R.
Wood, ald.
Wyvill, M.

TELLER.

Bernal, Ralph

HOUSE OF COMMONS.

Wednesday, March 14.

VAGRANT LAWS.] Mr. *Chetwynd* rose pursuant to the notice which he had given respecting the Vagrant Laws. The subject, he observed, was of very considerable importance, whether considered in a moral or pecuniary point of view. It was notorious that the county rates had of late years increased to a very great extent in every part of the kingdom, and it was equally notorious that the great burthen of them fell upon the already distressed agriculturists; for, by several decisions in the courts of law, it seemed now settled, that money lent on interest on mortgage, or vested in the funds, was not liable to poor or county rates. Among other items by which the latter had been considerably increased, was that of the passing and maintaining of vagrants. To show how this branch had increased, he would mention only one fact. In the very able work on Indigence, published by that enlightened and accurate magistrate, the late Mr. Colquhoun, it appeared that the expense incurred for passing vagrants in the year 1806 was 15,000*l.*; but by a return made to the House, it would appear that in 1820, that expense was increased to 58,605*l.*; and if all the collateral expenses were included, he did not doubt that they would be little short of 100,000*l.* The spirit of our Poor Laws never was, that the idle and sturdy should be supported; but that work should be found, if possible, for those who were able and willing to work, and who could not procure it by ordinary exertions. At present, the country was over-run with paupers—not persons who were really distressed, but by idle vagrants, who did not wish to work, and who made a subsistence by their vagrancy. A great many poor shopkeepers who were reduced very low, became pedlars, and were virtually vagrants, as they travelled without a license; but these poor people were, for the most part, driven to this by their necessities. Though many of them swelled the list of vagrants, yet it was not of that description he complained. There was another class who went into the country under pretence of looking for work, which they sought for in places where they knew it was not to be found. Large parties of these got together in lodging houses, and places of the very worst description, from whence they sallied forth every morning to seek for opportunities of theft, and returned again at night to share the plunder of the day. As a last resource they committed an act of vagrancy, and were passed on to such places as they described to be their settlement. They were thus supported for a time without any employment whatever. After some time they swore to another place as their settlement, to which they were passed in like manner, and thus they were always travelling about the kingdom. He could mention cases where it was proved that individuals thus swore to 18 or 20 settlements at different periods. These were abuses of the system which it would be the object of his motion to endeavour to remedy. In order to induce the House to consent to it, it would be necessary for him to prove three propositions. The first was, that the present vagrant laws were vague and inconsistent, and that great inconvenience had arisen in consequence: secondly, that it was necessary that those laws should be examined and considered, with a view to their consolidation and amendment; and thirdly, that a select committee ought to be appointed for such purpose. With respect to the first of these, he should observe, that there were not less than 48 statutes on our books on the subject of vagrancy. The first of these was enacted as early as the 5th of Edward 3rd, but the first which was strictly acted upon was the 19th of Henry 7th. By that act, not only were vagrants made liable to punishments, but it was ordered that persons who relieved them should also be punished. The hon. member here enumerated several other statutes in chronological order which were passed at different times on this subject, for the purpose of showing how frequently the matter had occupied the attention of the legislature. He observed, that by a statute of Henry 8th, vagrancy, for the third offence, was made liable to be punished with death; but this had never been acted upon. The statute which went into a general regulation of vagrants was the 17th Geo. 2nd, cap. 5. Seventy-seven years had elapsed since that statute passed, and many of its provisions were ill-adapted to the present state of society. That statute was divided into three heads. The first related to rewards given for the apprehension of vagrants: the second, to the mode of passing them to their settlements; and the third, to appeals respecting such settlements. He would not go into detail on this act, but would merely observe, that lord Kenyon and Mr. Justice Ashurst had declared that it had been most inaccurately drawn up, and was very difficult to be understood. When such men declared that they could with difficulty understand the meaning of that act, was it not natural to suppose that it must be found still more difficult by magistrates in the country, who were nevertheless daily called to act upon it? The hon. member here went into a brief examination of the act, and contended that some of its provisions were bad, and others so extremely loosely drawn up as to lose their intended object. He particularly condemned the practice of giving any rewards for the apprehension of vagrants, which, he observed, had led to great abuses. As a proof of this, he read an extract from the second report of the committee on the police of the metropolis. In that report it was stated that many instances were known of constables having bribed persons to commit acts of vagrancy, in order to get the reward for apprehending them. The passing of vagrants to their settlements, was, he observed, as at present carried on, open to great frauds frequently between the constable and the vagrant. They were often passed by stage-coaches or waggons, by which the constable saved the money which he should have given them. He would mention one instance of this:—A constable in a parish the next in Staffordshire out of the town of Birmingham, from which it was necessary to pass several hundred paupers, particularly Irish poor, in the course of the year, was allowed 1*l.* 10*s.* for the expense of passing each; but he contracted with the Manchester waggoner, to take them for *5s.* each, by which he defrauded the public of *25s.* on each pauper. It was unnecessary to say that the means of committing such frauds ought to be removed. A pauper, who was passed from London to York, would, if he had a family, have an allowance of 1*l.* 18*s.* per week; and yet a poor labourer was obliged to toil from one end of the week to the other, without being able to earn more than 12*s.* or 15*s.*—The hon. member then pointed out the deficiency of the law on the subject of appeals. No parish, he observed, had so much reason to complain on this head as the parish of Stepney.—It was stated by an hon. and learned member of that House, in the Court of King's-bench, in Hilary term 1813, in moving for a criminal information against a magistrate for Cheshire, for removing a vagrant improperly, that the parish of Stepney had had no less than 25 removals of a similar kind made to that parish in the preceding year, under an erroneous idea which prevailed, that all persons born on the high seas belonged to Stepney. The hon. member then contended, that, under all the circumstances, the system was one which ought to undergo revision. He concluded by moving, "That a Select Committee be appointed to take into consideration the existing Laws relating to Vagrants."

Mr. *Harbord* seconded the motion. As a proof of the deficiency of the present law, he mentioned that in the parish of St. George, Hanover-square, there were not less than 18 officers for the purpose of detecting vagrants, and in the last year they apprehended only 23, while 6 officers belonging to the Mendicity Society, who had other parishes besides that to look to, had apprehended in that parish alone, 273 vagrants in the last year.

The motion was agreed to, and a committee appointed.

AUSTRIAN LOAN.] Mr. *Robert Smith* (Bucks) rose to make his promised motion. In stating his reasons for proposing to institute an inquiry into our claims upon Austria, the hon. member spoke to the following effect:—I shall, in the first instance, recall to your memory, that in 1794, application was made by the court of Vienna, to the monied interest of this ntry, to raise a loan for the purpose ing on the war, and that the negotiation failed, Mr. Boyd not being able to raise sixpence upon the security he offered. A message then was brought down to this House by Mr. Pitt; and, in answer, an address was presented to his majesty, enabling him, under proper conditions, to guaranty the loan to be raised by the emperor. In consequence of this, on the 4th of May following, a convention was signed at Vienna, between his majesty and the emperor, by which the sum of 4,600,000*l.* was advanced, his imperial majesty solemnly pledging himself to discharge regularly the payments which might become due in consequence of the said loan, so that these payments might never fall as a burthen on the finances of Great Britain, pledging as a positive security the revenue of all his hereditary dominions, and, as a collateral one, an obligation on the bank of Vienna for the repayment of 400*l.* for every 300*l.* that might be advanced, with also the additional privilege of being able to sue the emperor according to the established forms of his own courts of justice. On the 29th of April, 1797, a second message was brought down to this House, and a new loan of 1,620,000*l.* was again granted, under similar security. The House must be already aware, that from the 1st of May, 1797, down to the present day, not a single penny, principal or interest, has been paid by the Austrian government; that no communication has been made to parliament on the subject; that the dividends due on the money thus raised are paid by the people of this country; and that the only article in the treaty so solemnly entered into which has not been violated is the valuable present of the Vienna obligation notes, which are carefully locked up in a tin-box at the Bank of England, and constitute, I understand, one of the principal lions shown to the curious who visit that very interesting building. The House is also aware that these loans, together with the dividends and other charges upon them, amount to the enormous sum of 17,400,000*l.*; and it is here fair to add, that at the liberal suggestion of the right hon. gentleman opposite, the calculation was made at simply 5 per cent interest, and not at compound interest, as would have been, perhaps, most fair; so that the loss to this country is not only the interest of the original loans, but also the interest of the seventeen millions; making, altother, an annual loss of more than one million. Now, Sir, I hope the enormity of this sum will justify me for calling the attention of the House to the subject, and that the noble lord will have the goodness to satisfy the country, at a moment when economy and retrenchment are so loudly called for, by giving us a copy of the different applications and remonstrances which must have been made by government to the court of Vienna on this subject. Sir, with the policy of advancing these loans to Austria we have now nothing to do; nor am I about to allude to the debates which then occurred, for the purpose of bringing that question into discussion; but I must refer to them to show that it was the intention of the government of the day that this debt was a *bonâ fide* one to this country from Austria, and that there existed no understanding whatsoever that this advance was to be considered as a subsidy, and not as a loan. The words used by Mr. Pitt on bringing down the king's message are very strong. He said "that this loan was made in the face of the public, and solemnly and deliberately concluded in the eyes of all Europe." The conduct of Austria had never been such as to infer that she would, forgetting honour, justice, and policy, barefacedly break the conditions solemnly entered into. In her pecuniary engagements she was interested above all others, and a breach of faith in them would be attended with consequences destructive to herself. She had ever been obliged to have recourse to loans; and, from her situation in Europe, it was impossible she could always maintain it without at some future day again entering into a similar transaction. With "such a necessity under her view, could she give that fatal blow to her credit which she must give if she broke faith with this country?" On the 23rd of the same month, on the debate on the budget, Mr. Pitt went further, and stated, that it was a subject of satisfaction and consolation to him in a financial point of view, so favourable to this country were the terms upon which the money was raised. To which Mr. Fox replied, though he denied the fact, that if it were so advantageous to the emperor, it was not very honourable to us as a nation tending our credit to guarantee the payment; and that we should remember that those who are the readiest to comply with exorbitant demands, are the least likely to be punctual in fulfilling their engagements; and he then quoted, from a scene in "The Confederacy," where Mrs. Amlet says, that "their court ladies never make two words about the price: all they haggle about is the day of payment." Such, then, was the understanding of the government of 1795; and I am happy to add, that a similar view of the question was taken and publicly expressed by his majesty's government in this House as late as the year 1817, on the motion of an hon. gentleman who, I regret, is no longer a member of the House. I find that the noble lord opposite then opposed the address proposed to the House on account of the financial difficulties of the Austrian government, and also of "the importance of strengthening the position it had been placed in, which he considered as highly congenial to the general interests and permanent tranquillity of Europe." But he desired, at the same time, not to be understood as representing the debt to be obliterated, but on the contrary as subject to be revived in the ordinary progress of diplomatic intercourse. Circumstances, he added, might even arise that might render the renewal of the claim an act both of good faith and statesmanlike wisdom. Sir, I neither accuse nor blame any one, and I only ask for information; but I must think, that when the landed proprietors are, in point of fact, scarcely in possession of their estates; when the present unfortunate system of Poor laws has practically introduced the Spencean system among us; when the order of things is reversed, and the tenant thinks he obliges the landlord by taking his land; when rent is paid out of capital, I must think that an act of better faith or of statesmanlike wisdom could not be achieved than by entering into every inquiry by which relief can be thought, even if erroneously, to be found, and among others, to prove to our constituents that there is a just expedient cause, if such exist, for abandoning this claim, the validity of which no one has as yet disputed, and the acknowledgment of which in these days of distress would be so very acceptable. Sir, I believe that, taking into view the relative situations of the different countries at the commencement of the war, there is perhaps not one which has made so great an accession of strength and influence in Europe as Austria, or one which has so materially suffered or placed herself in greater difficulty and distress than England, and provided fewer additional means of indemnifying herself for the sacrifices she has made. The distress of all ranks and interests is too deeply felt not to have become an acknowledged truth. But, is this the case with Austria? On one side her dominions reaches the fertile plains of the Venetian Lombardy; on another, it penetrates into Istria, Hungary, and Dalmatia; and on the north into Poland. It contains nearly thirty millions of population, with, I believe, greater resources of riches and power than any other empire in Europe, if her government were directed by common sense and reason, and did not appear to turn a deaf ear to the common principles of political economy and some of the first rules of commercial intercourse. It is a notorious fact, that the largest personal treasure in possession of any European sovereign, belongs to the emperor of Austria; but if we consider, independently of her immense hereditary revenue, the 6,000,000*l.* she received from France; if we reflect upon the system of extortion which she has been carrying on in her Italian provinces; if we look at the policy she has pursued there, as if the only object of her government was, the actual plunder of the inhabitants; and I have been told, from the best source, that 8,000,000*l.*, of our money were annually transmitted from this source to Vienna, and I believe I understate the sum very considerably; surely any fear, if such a fear, under present circumstances, were for a moment justifiable, of impoverishing and exhausting her government, ought not in reason to exist. Why then should not Austria be called upon to pay for these advantages? Why, after she has enjoyed them for eight years—after she has had time to recover from those difficulties which at first are said to have oppressed her—should she not be called upon to relieve the impoverished, the still-suffering people of this country, from the burden they have imposed upon themselves for the purpose of procuring for her these mighty advantages? But, according to her own account, she is almost relieved from her financial embarrassments; for in the Vienna Court Gazette of the 14th Nov. 1820, it is officially announced, that not only a great part of the old debt, but also a considerable proportion of the new debt, has been paid off; and I think that we have a right to ask the noble lord opposite whether he has neglected to put in the claim of the people of this country, or whether, again to avail myself of the words of Mr. Pitt. "Austria has—(forgetting honor, justice, and policy)—barefacedly broke the conditions she so solemnly entered into?" But the fact of the Austrians being able to engage in this war against Naples must be a sufficient proof, that before these unexpected events took place, which were certainly not anticipated by them, they must have had it in their power to have entered into some arrangements with this country towards at least the gradual re-payment of the debt. It therefore follows, that unless some arrangement has taken place, of which I ask for information, the money which we believed to be due to the people of this country contributes towards the support of this crusade. And now I beg to call the attention of the House to the circumstances under which Mr. Pitt was induced to recommend this measure to parliament; it was, to use the words of his majesty's message to this House, "for the great object of re-establishing, on secure and honorable grounds, the peace and tranquillity of these kingdoms, and of Europe." The parliament of this country considered that it was their bounden duty to make every sacrifice, to strain every nerve, to oppose the inroads of France upon the political independence and existence of other nations. They were animated by a detestation of military tyrants and foreign usurpers, and they sympathised with those who were struggling for the perservation of their natural rights against unprincipled invasion. Putting, then, aside all question of economy, every idea of the distress of the country; even were our treasure as great, our resources as unexhausted, as those of Austria I believe to be; I say there is a higher motive for the House of Commons demanding information from the ministers on this occasion, that there may not go out to Europe a suspicion of our having indirectly lent our assistance to this transaction (against Naples); and that we may not be reproached of secretly acting in determined hostility to the principles of our constitution, and to the strict observation of that neutrality to which we are pledged. I have endeavoured to show that the government of Austria, from being the mistress of such fertile and productive territories, from being in the receipt of so large a revenue, and from the fact of her being able to wage a distant and expensive war, must at least have been able to have entered into some train of settlement for the re-payment of the debt due to us; and I cannot understand how any feeling of delicacy or of political wisdom ought to have operated on the minds of the English government to overbalance the expediency, in our present state, of putting in our claims. Her commercial laws are as equally hostile to this as to every other nation—no symptoms of favour or of acknowledgment of our zeal in her welfare, by moderating in favour of our produce the extreme severity of this most absurd system; she is become the avowed patroness of those principles, in abhorrence of which we have spent so much blood and treasure, and against which, should they ever be brought to bear upon our national honor and independence, I think we could show that, though injured, our resources are not exhausted, and that our spirit is the same. I trust that the peace may long continue uninterrupted; but, reflecting upon what is now passing in Europe, I say there exists an additional argument in favour of a strict investigation on the part of this House upon every subject which may tend to rescue us, in however small a degree, from our financial difficulty. Without insinuating a suspicion of blame—though I think some communication from the government ought to have been made to the House—I shall move for these papers; and I have taken the liberty to anticipate, that neither any idea of financial difficulty on the part of Austria, any wish to support at our cost her influence in Europe, after the use she has made of it, or any delicacy arising from supposed beneficial effects to this country, the result of the intimacy of our political connexion, can have, for one moment, induced the government to hesitate in making an open, unequivocal demand upon Austria, for at least an acknowledgment of this fair, and, as yet, uncontradicted claim.—The hon. member then moved for "Copies or Extracts of any Communications between his Majesty's Government, and the Austrian Government, so far as the same relate to the re-payment of monies due to this country under the Conventions of 1795 and 1797."

Lord *Castlereagh* said, he had no intention to oppose the motion. He could not, however, help remarking, that the hon. member had not acted altogether fairly in stating the debt due from the Austrian government at 17,000,000*l.*; undoubtedly that sum was due when both the principal and interest were taken into the account; but the hon. member could not fail to know that the original debt was only 4,600,000*l.* increased afterwards by another loan of 1,620,000*l.* When the House was in possession of the correspondence moved for, it would see that this government had not forgotten to urge the claim which it had upon the Austrian government, and that the claim was now in full vigour. The present question was not, however, new to parliament: it had been agitated in both Houses in 1817. Indeed, in the House of Peers it had been very fully discussed; and the result to which the Lords had then come was, that though the debt was still in full vigour, there had been no neglect on the part of the British government in pressing for it. It was then stated to parliament that Austria and Prussia were in the greatest pecuniary distress, from having had to stand the chief brunt of the war against Buonaparte. Indeed that distress was so evident, that Great Britain and Russia suffered them to take the advance made on the contributions imposed on France by the allied powers. This statement appeared satisfactory. Since that period another effort, which had not been successful, had been made to obtain payment of that loan. Why it had not been successful, the House would see more clearly when it had all the correspondence placed before it. Though he thought the claim of the country ought not to be expunged, there were difficulties attending the urging of it at present, of which the House could not judge until it saw the correspondence which had taken place between the governments of the two countries.

Sir *J. Newport* protested against the House being bound by what had occurred in another place in 1817. Besides, there was all the difference in the world between the circumstances in which Austria was placed in 1817 and those in which she stood at present. Austria was then avowedly in a state of great pecuniary embarrassment; but she had since promulgated her ability to make good all her engagements. The principles of the self-called Holy Alliance ought to teach the powers who were parties to it, that one of their first duties was to keep faith with their creditors.

The motion was agreed to.

ARMY ESTIMATES.] The House having resolved itself into a committee of supply, to which the Army Estimates were referred, the chairman read the resolution, the debate on which was adjourned yesterday morning, namely, "That the land-forces for the service of the present year should consist of 81,468 men, &c."

Mr. *J. Macdonald* rose, to redeem the pledge which he had given on a former evening, to propose a reduction of 10,000 men in our military establishment. Feeling that the discussion of the other night was most conclusive in support of the proposition with which he should conclude he would confine himself to a very few words upon the subject. It was his firm conviction, that the case on the other side of the House, even as it had been stated and argued by the ministers themselves, would not justify the House in voting a larger force than 60,000 men. That would leave 25,000 men for the colonies and 35,000 for home service, exclusive of the artillery and marines, which being estimated at 5,000, would make the whole number 65,000 men. What apology was there then for voting any number of men larger than that amount? None. But members on his side of the House felt that it was necessary to look at what was immediately practicable as well as at what was desirable; and it was on that consideration alone that he was induced to limit the reduction to 10,000 men. In moving this amendment, he by no means intended to fetter the discretion of his majesty's government as to the points in which the reduction should take place; whether in the new colonies, or in the old colonies, in Ireland or in England; or proportionally in all. On that subject they would judge for themselves. But he hoped the committee would concur with him in thinking that the time had arrived when it was their duty to endeavour to effect a real reduction of every useless expenditure. The only mode in which it was possible to meet the endless demands upon the purse of the country of a military nature was, to come to some distinct determination that the House would provide for a certain amount of force, and no more. Lest, however, any gentleman should entertain apprehensions that by acceding to the amendment, the executive government would be stripped of the force necessary in the event of any domestic emergency, he begged to be allowed a few moments, in which he would undertake to satisfy that gentleman that if he supported the proposed reduction he might go home and lay his head on his pillow in perfect security that the country was safe from any danger of that kind. The force which had been voted for the colonies two years ago was 30,000. If that force were reduced only by 1,400 or 1,500 men (and he was persuaded that Malta and the Ionian Islands alone would furnish the means of making that reduction), there would still if his motion were carried, remain in this country an effective force exclusive of artillery, of above 50,000 men. To these must be added the ten veteran battalions, consisting of 11,000 men which experience had proved might very speedily be equipped, and rendered fit for active service. There would then be a total of 65,000 regular troops for the service of England and Ireland. Besides those regular troops there would be 37,000 yeomanry cavalry, and 20,000 volunteer infantry, making in the whole rather more than 120,000 men. Looking, in addition, to the militia of both countries, it was perfectly evident that, in the course of three months, we might have a force in arms, in England and Ireland, of 200,000 men. The right hon. the surveyor-general of Woods and Forests had concluded his speech the other evening by talking of the expediency of preserving the means of resisting foreign aggression. It was to enable this country to resist aggression, and always to be prepared to assert her honour and dignity, that he and those who thought with him wished for economy. It was hard, indeed, to say what would be the extent of financial difficulty and embarrassment which would prevent so high-spirited a country as England from asserting her honour and dignity. He could not contemplate the arrival, under any circumstances, of such a state of things. If ever it should arrive, he hoped the country would not long survive it; but if ever it should arrive it could be brought on only by the infatuation of government in refusing to give the country the fair means of recruiting its energies, after the unexampled struggle in which it had been engaged. He would implore the committee to consider the importance of the question which they were called upon to settle. Out of 54,000,000*l.* there were only 6,000,000*l.* available for the service of the year. Besides this sum there was nothing except the Sinking Fund, which ought not to be touched. With the exception of some savings which might be made in the collection of the revenue, these estimates were the only branch of public expenditure in which a reduction could be effected; this fact being established, he would put it to the House whether they ought not to consent to the reduction which he had proposed. He would not calculate upon any future defalcations in the revenue, though he thought them likely to occur; but this he would say, that there was not a man but must see that the present state of things was pregnant with danger. The hon. gentleman concluded by moving, as an amendment to the original resolution, to omit the words "81,468," for the purpose of inserting the words "71,468."

Sir *H. Vivian* opposed the motion. He considered it to be impossible to keep up the garrisons abroad if so large a reduction were agreed to. The hon. member then entered into some details to prove his proposition and contended that if only 5,000 men were kept for reliefs, the troops would be nine years abroad and only three at home. Besides, if we had a squabble with a foreign power, we could vindicate our honour better by interfering with an effective army, than by merely sending our navy against it. Alluding to what had fallen from the hon. member for Aberdeen on a former night, he said that he was a sincere supporter of the noble lord's administration, and added that if the hon. member continued his present line of conduct, he would increase the number of the noble lord's friends, not only in, but out of the House.

Mr. *N. Calvert* supported the amendment. There were three reductions of considerable magnitude, which, in his opinion, might be advantageously made. In the first place, he thought we might very beneficially divest ourselves of Gibraltar, which cost us half a million annually in peace, and double that amount in war. Gibraltar had no harbour; it did not command the entrance of the Mediterranean, and he was persuaded that we should be much better without it. In the second place, he thought we might save a very considerable expense, by getting rid of all connection whatever with the Ionian Isles. In the third place, he thought that we might reduce half the household troops, and substitute an armed police, under the authority of the civil power.

Mr. *Hume* said, that although he would not give up the Ionian Islands, he would be for making them pay for their own protection. A gallant general had declared that he was one of the noble lord's best friends. He admitted it. If the noble lord would reduce the expenditure of the country to the rate which he would point out, the noble lord would place himself in a situation stronger than that of any preceding minister, and one whence it would be impracticable to dislodge him. If the gallant general, however, alluded to the proceedings of the other evening, he could not allow that his deduction was a fair one. It should be recollected, that to those proceedings there were two parties. Which was the resisting party? That of which the gallant general made one. Which was the reasonable party? That which he (Mr. Hume) had joined. Could any one deny that it was reasonable that men should retire to their beds at one o'clock in the morning? The party, therefore, which wished to put off entering into an important discussion at one o'clock in the morning, was the reasonable party. The party which was desirous to vote away three or four millions of the public money after one o'clock in the morning, was the unreasonable party. The gallant general had said the other evening, "Can you think of reducing the military force of the country, at the present moment, to the level at which it was in 1792 and 1817, when every thing was perfectly tranquil? in the present state of Italy you must keep up a force which may enable you to meet any demand that may occur." The noble lord opposite, however, had said, that it was the intention of government to remain perfectly neutral with respect to Italy; and he must prefer the authority of the noble lord to that of the gallant general. The gallant general talked of the tranquillity of 1792. If he would look back to that period, and to the measures then proposed by Mr. Pitt, the gallant general would find that it was not so tranquil as he supposed.—The noble secretary at war had maintained, that a principal reason for keeping up the proposed force was for the defence of the colonies. Now, he (Mr. H.) and the hon. member for Wareham, had the other night contended, that the household troops might be reduced;

Army Estimates.] The House having resolved itself into a committee of supply, to which the Army Estimates were referred, the chairman read the resolution, the debate on which was adjourned yesterday morning, namely, "That the land-forces for the service of the present year should consist of 81,468 men, &c."

Mr. *J. Macdonald* rose, to redeem the pledge which he had given on a former evening, to propose a reduction of 10,000 men in our military establishment. Feeling that the discussion of the other night was most conclusive in support of the proposition with which he should conclude he would confine himself to a very few words upon the subject. It was his firm conviction, that the case on the other side of the House, even as it had been stated and argued by the ministers themselves, would not justify the House in voting a larger force than 60,000 men. That would leave 25,000 men for the colonies and 35,000 for home service, exclusive of the artillery and marines, which being estimated at 5,000, would make the whole number 65,000 men. What apology was there then for voting any number of men larger than that amount? None. But members on his side of the House felt that it was necessary to look at what was immediately practicable as well as at what was desirable; and it was on that consideration alone that he was induced to limit the reduction to 10,000 men. In moving this amendment, he by no means intended to fetter the discretion of his majesty's government as to the points in which the reduction should take place; whether in the new colonies, or in the old colonies, in Ireland or in England; or proportionally in all. On that subject they would judge for themselves. But he hoped the committee would concur with him in thinking that the time had arrived when it was their duty to endeavour to effect a real reduction of every useless expenditure. The only mode in which it was possible to meet the endless demands upon the purse of the country of a military nature was, to come to some distinct determination that the House would provide for a certain amount of force, and no more. Lest, however, any gentleman should entertain apprehensions that by acceding to the amendment, the executive government would be stripped of the force necessary in the event of any domestic emergency, he begged to be allowed a few moments, in which he would undertake to satisfy that gentleman that if he supported the proposed reduction he might go home and lay his head on his pillow in perfect security that the country was safe from any danger of that kind. The force which had been voted for the colonies two years ago was 30,000. If that force were reduced only by 1,400 or 1,500 men (and he was persuaded that Malta and the Ionian Islands alone would furnish the means of making that reduction), there would still if his motion were carried, remain in this country an effective force exclusive of artillery, of above 50,000 men. To these must be added the ten veteran battalions, consisting of 11,000 men which experience had proved might very speedily be equipped, and rendered fit for active service. There would then be a total of 65,000 regular troops for the service of England and Ireland. Besides those regular troops there would be 37,000 yeomanry cavalry, and 20,000 volunteer infantry, making in the whole rather more than 120,000 men. Looking, in addition, to the militia of both countries, it was perfectly evident that, in the course of three months, we might have a force in arms, in England and Ireland, of 200,000 men. The right hon. the surveyor-general of Woods and Forests had concluded his speech the other evening by talking of the expediency of preserving the means of resisting foreign aggression. It was to enable this country to resist aggression, and always to be prepared to assert her honour and dignity, that he and those who thought with him wished for economy. It was hard, indeed, to say what would be the extent of financial difficulty and embarrassment which would prevent so high-spirited a country as England from asserting her honour and dignity. He could not contemplate the arrival, under any circumstances, of such a state of things. If ever it should arrive, he hoped the country would not long survive it; but if ever it should arrive it could be brought on only by the infatuation of government in refusing to give the country the fair means of recruiting its energies, after the unexampled struggle in which it had been engaged. He would implore the committee to consider the importance of the question which they were called upon to settle. Out of 54,000,000*l.* there were only 6,000,000*l.* available for the service of the year. Besides this sum there was nothing except the Sinking Fund, which ought not to be touched. With the exception of some savings which might be made in the collection of the revenue, these estimates were the only branch of public expenditure in which a reduction could be effected; this fact being established, he would put it to the House whether they ought not to consent to the reduction which he had proposed. He would not calculate upon any future defalcations in the revenue, though he thought them likely to occur; but this he would say, that there was not a man but must see that the present state of things was pregnant with danger. The hon. gentleman concluded by moving, as an amendment to the original resolution, to omit the words "81,468," for the purpose of inserting the words "71,468."

Sir *H. Vivian* opposed the motion. He considered it to be impossible to keep up the garrisons abroad if so large a reduction were agreed to. The hon. member then entered into some details to prove his proposition and contended that if only 5,000 men were kept for reliefs, the troops would be nine years abroad and only three at home. Besides, if we had a squabble with a foreign power, we could vindicate our honour better by interfering with an effective army, than by merely sending our navy against it. Alluding to what had fallen from the hon. member for Aberdeen on a former night, he said that he was a sincere supporter of the noble lord's administration, and added that if the hon. member continued his present line of conduct, he would increase the number of the noble lord's friends, not only in, but out of the House.

Mr. *N. Calvert* supported the amendment. There were three reductions of considerable magnitude, which, in his opinion, might be advantageously made. In the first place, he thought we might very beneficially divest ourselves of Gibraltar, which cost us half a million annually in peace, and double that amount in war. Gibraltar had no harbour; it did not command the entrance of the Mediterranean, and he was persuaded that we should be much better without it. In the second place, he thought we might save a very considerable expense, by getting rid of all connection whatever with the Ionian Isles. In the third place, he thought that we might reduce half the household troops, and substitute an armed police, under the authority of the civil power.

Mr. *Hume* said, that although he would not give up the Ionian Islands, he would be for making them pay for their own protection. A gallant general had declared that he was one of the noble lord's best friends. He admitted it. If the noble lord would reduce the expenditure of the country to the rate which he would point out, the noble lord would place himself in a situation stronger than that of any preceding minister, and one whence it would be impracticable to dislodge him. If the gallant general, however, alluded to the proceedings of the other evening, he could not allow that his deduction was a fair one. It should be recollected, that to those proceedings there were two parties. Which was the resisting party? That of which the gallant general made one. Which was the reasonable party? That which he (Mr. Hume) had joined. Could any one deny that it was reasonable that men should retire to their beds at one o'clock in the morning? The party, therefore, which wished to put off entering into an important discussion at one o'clock in the morning, was the reasonable party. The party which was desirous to vote away three or four millions of the public money after one o'clock in the morning, was the unreasonable party. The gallant general had said the other evening, "Can you think of reducing the military force of the country, at the present moment, to the level at which it was in 1792 and 1817, when every thing was perfectly tranquil? in the present state of Italy you must keep up a force which may enable you to meet any demand that may occur." The noble lord opposite, however, had said, that it was the intention of government to remain perfectly neutral with respect to Italy; and he must prefer the authority of the noble lord to that of the gallant general. The gallant general talked of the tranquillity of 1792. If he would look back to that period, and to the measures then proposed by Mr. Pitt, the gallant general would find that it was not so tranquil as he supposed.—The noble secretary at war had maintained, that a principal reason for keeping up the proposed force was for the defence of the colonies. Now, he (Mr. H.) and the hon. member for Wareham, had the other night contended, that the household troops might be reduced;

seeing that they were not applicable to the principal purpose on which the noble secretary justified the proposed military establishment. With respect to the argument founded on the necessity of relief to our troops in the colonies, were not the noble lord's predecessors in office as fully aware of that necessity? Since 1792, 15,000 additional troops were required for the protection of those colonies. All, therefore, according to the noble lord's own argument, that could be required, in addition, for their relief was, a tenth of their amount, or 1,500 men. As to the regiments in India, there was no practical relief. He had seen two or three regiments in that country undergo the ceremony of relief; but he had never seen above 10 or 20 of the men disposed to go home. The rest preferred to stay, and volunteer into other corps. And here he must pay a just tribute to the way in which the troops were treated by the governments in India. They received every thing which their comfort or disease required, and eventually were presented with land, thus becoming farmers and cultivators in their old age. He was, therefore, convinced that the number of troops requisite was much overstated. He was convinced that the number would admit of a reduction of 20,000 men with as much facility as a reduction of 10,000, or, in other words, that the military duty of the country could be performed as well with 60,000 as with 80,000 men. What then could induce the committee to agree to the latter number? The noble secretary of state had quoted the saying of an ancient "that the immortal gods themselves had no power over past events and arithmetic." As to past events, he would say nothing about them; but on the question of arithmetic he was quite ready to meet the noble lord. The noble lord had enumerated a variety of reductions and some additions in the several items of the estimates of the ordinaries of the army, but at last he avowed that the whole of the saving, as compared with last year, was about 145,000*l.* Many of the noble lords' statements were evidently *ad captandum.* The noble lord had taken great credit for a saving of 74,000*l.* in the commissariat, and of 117,000*l.* in the Barrack department, as well as for a saving of 50,000*l.* in the clothing of the Irish yeomanry, although that was an allowance made only once in three years, and therefore there was no saving upon it, as it would come round in its time. [Mr. Hume here entered into a detailed comparison of the expense of the Commissariat, the Barrack department, &c. for the present, for the last, and for the preceding year, in order to show that the diminution upon the estimates of last year was not equal to the augmentation of the year preceding.] Although 10,000 men had been reduced, yet the diminution of expense was only 145,000*l.* on an expenditure of above seven millions, which was not the amount of the charge of five battalions. The noble lord had boasted that his majesty's government had kept their word in reducing these 10,000 men, who had been raised for an emergency. The number had certainly been reduced; but why had not a corresponding reduction of expense taken place? The hon. gentleman next observed, that if any troops ought to be reduced, it should have been the regular regiments. If 10,000 regulars, instead of 10,000 veterans, had been reduced, it would have produced a saving of 80,000*l.* more to the country. For the last year the expense of pay, clothing, &c. for a battalion, was 31,500*l.* Now the officers from each regiment were allowed to retire on full pay, 7,324*l.* He would calculate the pensions to privates at 8*d.* per day, 12,000*l.*—in the whole 19,520*l.*—producing, by the reduction of a battalion, a saving merely of 12,000*l.* But the saving that would be effected by reducing a regular regiment, would amount to 20,000*l.* and upwards; and the saving that would be effected in reducing ten regiments of regulars, instead of ten battalions of veterans, would amount to 100,000*l.* Here he could not but say, that he heard with sorrow, as conveying to the country but a melancholy prospect, from the two noble lords opposite, that the army had been now reduced to the lowest possible establishment [Here lord Castlereagh intimated a dissent]. Mr. Hume said, the words of the noble lord were, that the establishment of 1818 was agreed to by the committee, as a proper establishment, and the establishment of 1792 was altogether thrown out of consideration. Who, he would ask, agreed to the establishment of 1818? Not the committee of finance, because the report of that committee recommended a speedy approximation to the establishment of 1792. The only reason that had been given for this heavy military establishment was; 1st. The increase of public works; 2nd, The defence and relief of the colonies. Did the noble lord forget, that in Ceylon there were several thousand local militia; several regiments of militia at the Cape; and that in Canada a very important militia was kept up? Why, then, did it become necessary to increase military force where there was a tried and valuable militia kept up? The noble lord had named several garrisons, Plymouth, Porstmouth, Chatham, and many others; but those surely were not new garrisons, they were garrisons which had been always kept up with an efficient force; besides, it should be taken into account, that old garrisons were reduced, such, for instance, as Fort William and Fort Augustus. With regard to barracks, surely it would not be contended that the artillery were incapable of defending their own, and the marines incapable of defending the dock-yards. He could not comprehend why 6,000 men more were needed now than in 1792. The quantity of stores to be defended was talked of; but one principal depository was Weedon; and there a serjeant's guard, or at most an ensign and 17 men, were found amply sufficient. If, indeed, 6,000 men were requisite, why had not 6,000 of the now disbanded veterans been retained, who were fully competent to the duty, and could be kept up at a much lower expense? But 15,000 men were said to be wanted for the new colonies, and 30,000 for the old; and the reason was, to prevent surprise by an enemy. At a time when not a hostile pendant was floating on the ocean, what possibility could there be of surprise? On the subject of reliefs for the colonies, he repeated that, according to the data supplied by the noble lord, 1,500 men were all that were necessary, and not 5,000 for the relief of 50,000, or 3,000 for the relief of 30,000. How, then, did the question stand as to numbers? In Great Britain and Ireland there were to be no less than 48,632 regular troops. The noble lord had been surprised at his statement, that the irregular force amounted to 125,000 men. He would perhaps be more surprised now to be informed that it exceeded 149,000. He made it out thus:—Royal marines 8,000—royal artillery and engineers 7,872—yeomanry and volunteer infantry in Great Britain 37,391,—volunteer infantry in Ireland 20,231—disembodied militia, 89 regiments, Great Britain 55,092,—ditto, 38 ditto, Ireland 20,958—making 149,544. The regular cavalry and infantry in the kingdom and the colonies were to be added to this calculation, and the whole force could not be estimated at less than 270,000 men. He asked, then, with some confidence, whether the House, in times like these, could sanction a vote so extravagant? Would not the people, when any pretended feeling was exhibited in the House for their distresses, have a right to retort, that it burdened them with an army of 270,000 men? The hon. gentleman next proceeded to argue, that there were already too many officers compared with the number of men; and this he deduced from the statement of the noble lord, that he could raise 34,000 privates, with only the addition of one ensign and one lieutenant to each company. It was undeniable that there was an augmentation of 8,000 in the guards only. He thought he had said enough to convince the reason, and govern the conclusion, of any impartial man: the opinions of interested members he valued no more than the testimony of interested witnesses; and the reduction he should have proposed would have been 20,000 men; however, 10,000 was proposed in the amendment, and he would take that, or 5,000, or 1,000, rather than nothing. The noble lord, with reference to the foreign staff, had been very witty on the dates of the estimates he (Mr. H.) had used; but witty at his own expense; for he held in his hand returns signed by the noble lord himself, in which it was stated that the foreign staff on the 25th Dec. 1792, cost 17,121*l.*, and on the 25th Dec. 1802, 19,434*l.*: yet now it was swelled to the enormous amount of 82,000*l.* The noble lord had argued in defence of the present enormous charge for the public departments, that in 1792 the business was most ineffectually and negligently done; but surely this was a most strange reflection on the government of that day, recollecting that it came from the disciples and followers of Mr. Pitt. He had no difficulty in accepting the challenge of the noble lord: he could show how millions might be saved out of the army estimates on a moderate computation. If, however, a reduction of only 20,000 men were made, the following savings might be effected:—In pay 188,260*l.*—in barracks, commissariat, &c. 434,769—in garrisons 22,000*l.*— in the military college 16,000*l.*—in the asylum 25,000*l.*—in half-pay 100,000*l.*—making 786,029*l.* It was, he said, a fact worthy of remark, that since the year 1816 the duke of York had filled up 1,105 new commissions, while by the returns it appeared that there were 7,000 officers on half pay. Why had not those 1,105 commissions been given to officers already on half pay? and that alone would have produced a saving of 61,000*l.* a year. Thus, the patronage of his royal highness had cost the nation an immense sum since 1816. The gallant general had talked of the distresses of officers upon half-pay, and had asked, whether the object were to reduce them. No; the object was to advance them, and to place at least a large number in circumstances of comparative affluence. He agreed that at present they were living upon a miserable pittance; and it was so because ministers had prevented them from seeking an honourable employment in foreign countries fighting the battles of liberty and independence. It was true that they now led in this country a deplorable existence; but it was not for those who had brought in and carried the abominable Enlistment bill to talk of it, since they were in a great degree the cause of their sufferings. If such compassion were felt for them, why had they not been advanced from half to full pay? Why had not the duke of York selected them for the 1,105 commissions, instead of taking those whose past services gave them not the slightest claim? At this moment he believed there were many half-pay cornets at school, having had commissions given them merely that they might retire upon half-pay, and then finish their education. The hon. member concluded by stating, that in none of his remarks he had intended to touch individuals: he had directed his attacks only against the extravagant and ruinous system of expenditure.

Sir *H. Hardinge* said, the system of the guards had been inquired into by the committee of 1817, who had recommended no change. If they were remodelled, without the additional pay to which the men were entitled by the terms of their enlistment, they would not be more expensive than the regiments of the line, except by 250*l.* on a battalion of 650 men. It had been said by the hon. member, that the change of dress in the guards was expensive; but the hon. member might have found that in the guards, as in all the regiments of the service, the expense of the change of dress, fell on the colonels. As to the alleged inefficiency of the guards from their not serving out of Europe, he denied that there was any regulation which prevented them from doing so. Had they not served in America during the American war? Had they not served in Egypt? It was true that it was not customary to send them out of Europe; but neither was it customary to send light infantry, who consequently were, with regard to efficiency on the same footing as the guards. The efficiency of the guards in the field had been admitted. The proportion of them that had been opposed to the enemy was greater, in fact, than that of the regiments of the line, which arose from the circumstance blamed by the hon. member, namely, their being exempted from the colonial garrison duties. The manner in which they had been made available at Waterloo and in the Peninsula was well known. In that regiment in which he had the honour to serve, the 1st guards, had been renewed three times during the war; and the consumption of the seven battalions amounted to 28,000 men. With respect to the charge, that the guards were kept up for mere show, he asserted, that their duties were more severe than the ordinary duties of regiments of the line. Indeed, they were so hard worked by their ordinary duties, that when they were called on any emergency, they had not strength to do the duty. From all the inquiries he had made respecting the guards, there was no ground for the assertion that they were an overgrown establishment: 150 years ago, when they were first raised, they were seven battalions; in 1792 they were seven battalions; and they were seven battalions now. There was an addition of one light company to each battalion; but this addition was also made in the line. Of the line, there were 60 battalions in 1792, now there were 100, but the number of battalions of the guards had remained the same. In each company in 1792, there were 47 men, now there were 72; but there was still the same number of officers as before, three to each company; thus the expense was not raised with the numbers. A suggestion had been thrown out, that the pay of soldiers enlisted henceforward should be diminished, because the wages of labourers had only been increased as 5 to 4, while the pay of the soldier had been doubled. This was a misconception of the fact, because, though there was an increase of actual pay, a great number of allowances had been taken away. The soldier had now a shilling a day. Of this 6*d.* per day was immediately taken by the government for his ration. When provisions were high the soldier gained, when they were low the government gained, by the bargain. There remained another 6*d.* with which he had to provide shirts, washing, pipe-clay, &c. which it was calculated would cost the most frugal soldier 3½*d.* or 3¼*d.*: the remaining 2½*d.* was all he had to supply himself with beer, tobacco, and other luxuries. If there was a property-tax on the soldier it must come solely out of this 2½*d.* The question of relief had been sufficiently discussed by the noble secretary of war. If, as the hon. member for Aberdeen supposed, many men in India volunteered to remain there, the regiments must be changed, because the officers would not submit to perpetual banishment. In the West Indies he feared reliefs would be necessary every five rather than every ten years. He had always understood that Gibraltar afforded great advantages to our fleets from the facility of refitting, and he referred to the instance when sir J. Saumarez blockaded a fleet which had taken shelter in Algesiras.

Mr. *Goulburn* said, that the objections of the gentlemen opposite seemed to be particularly directed to the expenditure for the colonies in the Mediterranean and St. Helena. This branch of the expenditure had certainly been increased since 1792, and necessarily so, from the additional possessions in the Mediterranean which the country had since that period to maintain. They had now Malta in addition to Gibraltar. In 1792, there were 3,335 rank and file for the garrison of Gibraltar, and there were now only 7,000 for Gibraltar, Malta, and the Ionian Islands; in fact, the whole of the Mediterranean. This addition, considering the nature of the service, was any thing rather than excessive. The other station objected to was that of St. Helena. Respecting that island, he had only to call their attention to the great importance of the object of that garrison. If, in guarding the individual there placed, any overcaution was incurred, he thought, considering the importance of that trust, it ought not to be rigidly scrutinized or complained of. The amount of the force required at St. Helena arose from the nature of the confinement of the individual, and to avoid the necessity of any thing like personal rigour while keeping him in safe custody. He was permitted, if he pleased, to traverse the whole island, and this indulgence imposed the necessity of having additional guards in separate parts of the place. It was urged that the colonies ought to provide for the maintenance of their own troops. So they would, if they were allowed an unlimited trade; but the policy of the country did not sanction such a course, and the existing engagements to the colonies rendered the expenditure necessary. The member for Aberdeen had said, that if the colonies were blessed with a constitution like the English, they would then with alacrity pay for the maintenance of their own troops. To this he would answer, that he knew of no anxious expression to do so on the part of those islands enjoying a colonial legislature. An hon. and gallant general opposite (Sir R. Fergusson) had complained of the expenditure at the Cape of Good Hope, and said, that when it was in the hands of the Dutch governor, the latter made the settlement pay for the support of 5,000 men, and its whole establishment. In contradiction of this statement, he would read an extract of a dispatch transmitted by the head of the Dutch republic in June, 1805, to the Dutch governor at the Cape which was as follows:—"Your official accounts to the government confirm the impressions we had previously formed, that the Cape will not be to us such an Eldorado as some were led to think." The letter then stated, that there was little chance of making the settlement pay its expenses, until they could succeed in making it a spot for the cultivation of something which the Dutch could make a source of trade. So that it was clear there was some mistake in the statement, that the Dutch governor had paid 5,000 men out of the colonial revenue. He must also advert to an account given by the hon. general, that Sir James Craig had transmitted information to the authorities at home, stating, in his opinion, 3,000*l.* a year to be quite sufficient for the governor's emolument. Of such information he could find no proof, and certainly the contrary was held by other officers who had served there.

Sir *R. Fergusson* explained what he had said; that, in 1795, when the Cape fell into our hands, general Craig who acted as governor, stated to the government that he had found no salary fixed for him, but that he had appropriated 3,000*l.* per annum which he thought fully adequate to the duty.

Mr. *Goulburn* observed, that even in

that case general Craig's emoluments would have been greater than those of the present governor, as the old system of giving fees to the governor continued till the arrival of lord Macartney. He then defended the secretary for the colonial department from the charge of diverting the colonial revenues to the purposes of patronage. When the noble lord (earl Bathurst) first came into office he had introduced a bill to preclude himself from granting any colonial appointments to persons who did not reside in the respective colonies; he had reduced 3,500*l.* from the salary of the governor of the Cape; he had abolished the office of lieutenant governor, a place of 4,000*l.*, a year, and also the great office of vendu master. Whenever sinecure offices became vacant, he gave sufficient salaries for the performance of the duties, and transferred the surplus to the revenue of the colonies. These were not the acts of a man who grasped at patronage. Since the peace, all the considerable appointments were given to officers on half-pay, who had no other means of subsistence. But the hon. member thought the half-pay officers had been used hardly by the foreign enlistment bill, which prevented them from improving their fortunes in South America. He (Mr. G.) believed that those who had gone to South America, had met with none of the anticipated blessings. And there was now a resolution of the government of that country, not to employ any more foreign officers, because their health would not bear the climate, and because they were too expensive. The right hon. member concluded by observing, that the change of military system since 1792 rendered more men necessary in the colonies. In 1792, men might be drafted from regiment to regiment, without being consulted. Now, they enlisted for particular regiments, and when necessary to send out the regiments as relief, they must reach the stations before their predecessors could be removed.

Mr. *J. P. Grant* said, that looking at the force demanded for the new colonies —looking at the continued mis-government of Ireland, which made it necessary to maintain a greater force there than was formerly called for—allowing for these, and looking at the situation of the country, it appeared to him that there was an excess over the establishment of 1792, of 21,000 men. He contended, that where a force of 42,000 men had been found sufficient in 1792, there was now employed no less than 66,000. What was there, he would ask, that required an increase of troops to the extent of one-half more than the numbers called for by Mr. Pitt, in 1792? He had stated enough, *prima facie*, to prove that there was no necessity for this force; and he demanded of government to show some good and intelligible ground for making this call, not only on the public purse, but on the constitutional feeling of that House. They were told that there were dépôts, that there were various arsenals and works, in which stores were collected; and this was stated as a reason why that part of the military force destined for Great Britain, which, in 1792, amounted to 16,000 men should now comprise 27,852 men. The whole force now called for ought to be reduced one-eighth. A reduction of 10,000 in 80,000 men, would leave more than enough to prevent any mischief that might be apprehended from a too rapid diminution of our military force.

Sir *R. Fergusson* said, he would repeat his statement, that sir J. Craig being governor of the Cape in 1796, and finding that no allowance was made to him by government, did assign to himself 3,000*l.* a year, until the pleasure of government should be known upon the subject; sir James declaring that he thought that sum amply sufficient. What, then, was to be thought of the enormous salary granted to the present governor, who, in addition to that salary, was in possession of a large farm, for the use of which he had the gratuitous labour of 40 slaves? The revenue of the present governor might be fairly estimated at 20,000*l.* a year. He thought it was most insulting to the country, when all ranks were distressed, to see an officer of this kind so disgracefully overpaid. If gentlemen looked to the number of offices in the colonies in 1792 and 1821, they would find that they were now increased in the proportion of ten to one; and they would also perceive, that the offices which were in existence in 1792 were now paid in a tenfold proportion. With respect to the Cape of Good Hope, he was ready to contend that it ought to defray all the expense of a peace establishment. One of the measures of government, with respect to the Cape, he highly disapproved of. He alluded to the disbanding of the Cape regiment. It was composed of Hottentots. Gentlemen might laugh at the idea of a Hottentot regiment, but there was not a more efficient corps in his majesty's service, and certainly not one that was half so cheap. He was undoubtedly averse, if it could be avoided, to placing officers on half pay; but still he thought it necessary that a reduction of the military force should be made—not from the regiments of the line, but from the household troops and the regiments of cavalry. He could not help saying that the character of British dragoons appeared to be wholly forgotten. The cavalry were now be-whiskered and be-lanced in a manner never before thought of. For what purpose was this imitation of the Polish horse introduced? Why did they not stick to the ancient British system, instead of aping foreign fashion in dress; and not content with that, aping the fashion of employing small horses? If this country were again unfortunately plunged in war, he would recommend the employment of one foreign regiment to act as lancers or hussars (if such a force must be kept up), being convinced that one such regiment would be much more effective, while it must be considerably less expensive, than a brigade of our own lancers or hussars, mounted as they have been heretofore.

Colonel *Wood* vindicated the British cavalry against the imputations cast upon that corps by the gallant general, by quoting the opinion expressed by Buonaparte to a friend of his at St. Helena, with respect to the merits of this portion of our force. This opinion, from an authority which he presumed the gallant general was not disposed to disrespect, was peculiarly favourable to the conduct of the Scotch Greys, the Household troops, and to the Hussars also; at the battle of Waterloo, the latter having broken through a solid square of French infantry, while the French cavalry had never been able to make a breach in any similar square of the infantry of England. Yet the gallant general would have our hussars reduced, if not done away with, from considerations of economy. But it was most extraordinary to what excesses some gentlemen would urge government to go, under the profession of economy. One gentleman, indeed, seriously proposed to give up that great feather in our cap, Gibraltar, because, truly, we were unable to pay the expense of keeping it. But, whatever might be our national distress, he trusted that this great fortress would never be given up. The hon. member here took notice of an item in the estimates, granting 200*l.* a year to the widow of colonel Hill, of the 50th regiment, who met his death in the West Indies, by going into an hospital to see how his men were attended to in the yellow fever, no other soldier being found willing to do so. He asked the House, whether, to save such trifles as these, they would refuse to support the widow of such a gallant man?

Sir *R. Wilson* said, he had understood his gallant friend merely to say that our light cavalry were rendered less efficient on foreign service by the smallness of the horses on which they were mounted. In that opinion he concurred, and he thought that the light cavalry of this country was not a description of force that ought to be sent abroad. With regard to the Cape, he thought that the possession of it in time of peace was no benefit to England in a commercial point of view. But, even if it was to be retained, he was convinced that the British force stationed there at present was by far too considerable; 1,200 infantry and 300 cavalry could protect it just as effectually as the present force. He had also reason to believe that the governor of that fort was in the receipt of an enormous sum: he knew not what the present emoluments of the office were, but for several years they had been returned at 18,000*l.* per annum. He also agreed with his hon. friend in thinking that the Ionian Islands were so costly a possession, that the defence of them should never have been undertaken by this country; and he was sure that the longer they were retained the more we should find ourselves embarrassed by the possession, both politically and financially, and the more dissatisfied would both the Greeks and the Turks become. As to the relief of the troops on foreign stations, he was decidedly of opinion that no regiment should be obliged to remain longer than four years in the West Indies: for if they remained longer they became indifferent to their conduct; punishment was resorted to, to enforce discipline, and discipline was destroyed by the very excess of punishment. It was not necessary when these troops were relieved, that they should return to England; because they might be sent to India, or to other colonies. But the main question was, the proper amount of the force for Great Britain and Ireland: and when he saw on the estimates 48,000 independent of reliefs, he did think such a number very imposing. If the noble lord would consent to employ this force against the unprincipled crusade which had been commenced against the liberties of Naples, he should not object to the present number, great as it was. His opinion was, that, sooner or later, whatever might be the noble lord's present intentions, this country would be obliged to interfere; for it never could look tamely on a Russian fleet entering the Mediterranean, as he had reason to believe was at this moment intended, to take possession of Sicily.

Mr. *Evans* said, he would support the amendment, because the distress of the nation was great, and he saw no prospect of its being relieved by the removal of any of the taxes. While the public expenditure exceeded the public income, and taxation was consequently oppressive, it was impossible that the population of the country could be contented and happy. Great Britain had a yeomanry force of 35,000 men, and with these he conceived that a small regular force, merely for the purpose of supplying reliefs to the troops on foreign stations, was sufficient. In the number of regulars employed in the colonies, a great reduction might also be made by means of a force analogous to our yeomanry and militia. This system had been tried in the West Indies, and he saw no reason why it might not be extended to our other colonies.

Sir *F. Blake* intended to support the reduction of the army; but he would agree to vote for the larger number of men, if ministers would pledge themselves to a saving on the whole military expenditure, equal to the maintenance of 10,000 men. This would be a saving of 300,000*l.* a year; and if ministers would do that, he would not vote for the reduction of so many men.

Lord *Castlereagh* said, he did not rise for the purpose of entering at length into the details of the question, but for the purpose of making a few observations upon what had been urged by those who supported the amendment. According to the returns it appeared that, exclusive of India, we had a force of 70,350 men, rank and file. Supposing that from this number 10,000 were to be deducted, there would remain 60,350 men. Allowing the army deficiencies to be 5,000 men, there would remain an effective force of 55,350 men for the home and colonial service. Deduct from this the number of men necessary for our colonial service, and there would remain but 29,850 men. Take from this 14,000 men, the number composing the life guards and cavalry, and there would remain 15,850 men for the service of Great Britain and Ireland, and also for the purpose of relieving an army of 50,000 men abroad. Now, he would leave it to any man acquainted with military matters, to state whether the service of the country could be efficiently performed with such a number of men.

Mr. *Calcraft* rose solely for the purpose of correcting the palpable mistatements of the noble lord. He was surprised the noble lord could risk his credit upon assertions directly in the face of the returns. The Army Estimates proposed 81,000 men; from this number it was proposed that 10,000 men should be reduced, leaving 71,000 men to do the duty of the country. The noble lord had next gone to the exploded story about reliefs. Did not the noble lord take the dépôts of foreign stations into account? These dépôts amounted a short time ago to 5,500 men. As to India, it was out of the question, as the India Company were annually raising recruits in this country.

Lord *Castlereagh* said, that when he stated the numbers of the original proposition to be 71,000, he had distinctly said rank and file, and was perfectly aware that, with the officers, it would amount to 81,000.

Lord *Palmerston*, in allusion to the men necessary for reliefs, stated, that at this moment there were 1,900 troops on their passage home from foreign stations, and 2,500 going out. This was a practical illustration of the arguments he had laid down to prove the necessity of allowing men for reliefs. The non-effectives at the present time also amounted to 3,000, and recruits 2,000, making upon the whole 9,000 men unfit for duty. It had been argued, that the militia might be called in aid of the public service, but every man who had read the Militia act, must know, that the militia could only be called out by proclamation.

Mr. *Macdonald* briefly recapitulated the principal features of his opening speech; after which, he declared, that still retaining the opinion that a force of 100,000 men, after the reduction should be made that he contemplated, would be available to ministers at the shortest notice, he did consider that so strong and unanswerable a case had been made ou on his side of the House, that he should not do his duty to the country if he did not take the sense of the committee on his amendment.

The Committee then divided: For the Amendment, 115. Against it, 211. Majority against the Amendment, 96.

List of the Minority.

Abercromby, hon. J.
Allen, J. H.
Althorp, visc.
Baillie, J.
Barham, J. F.
Barnard, visc.
Barrett, S. M.
Beaumont, T. W.
Becher, W. W.
Benett, John
Bennet, hon. H. G.
Benyon, Ben.
Bernal, R.
Birch, J.
Blake, sir F.
Boughey, sir J. F.
Bright, H.
Bury, visc.
Buxton, T. F.
Calvert, N.
Calvert, C.
Carew, R. S.
Cherry, G. H.
Clifton, visc.
Coffin, sir I.
Colburne, N. R.
Corbett, P.
Creevey, Thos.
Crespigny, sir W. De
Crompton, Saml.
Davies, T. H.
Denison, W. J.
Duncannon, visc.
Dundas, hon. T.
Ellice, Edw.
Evans, Wm.
Fergusson, sir R. C.
Glenorchy, visc.
Graham, S.
Grant, J. P.
Griffith, J. W
Guise, sir W.
Hamilton, lord A.
Harbord, hon. E.
Hill, lord A.
Hobhouse, J. C.
Honywood, W. P.
Hornby, E.
Howard, hon. W.
Hume, J.
Hutchinson, hon. C.
James, Wm.
Jervoise, G. P.
Lambton, J. G.
Lemon, sir W.
Lennard, T. B.
Lester, B. L.
Lloyd, J. M.
Lloyd, S.
Lushington, Dr.
Maberly, John
Maberly, W.
Martin, J.
Mildmay, hon. P. St. J.
Moore, Peter
Neville, hon. R.
Newport, sir J.
Nugent, lord
Ord, W.
Ossulston, lord
Palmer, C. F.
Palmer, col.
Pares, Thos.
Parnell, sir H.
Phillips, G. B.
Phillips, G.
Power, R.
Pym, Francis
Ramsbottom, J.
Ricardo, David
Rice, T. S.
Ridley, sir M. W.
Robarts, G.
Robertson, A.
Robinson, sir G.
Rogers, E.
Russell, R. G.
Rowley, sir W.
Scudamore, R.
Sebright, sir J.
Sefton, earl of
Smith, hon. R.
Smith, Robt.
Smith, Geo.
Smith, W.
Smith, S.
Smith J.
Smythe, J. H.
Stanley, lord
Stuart lord J.
Sykes, D.
Taylor, M. A.
Tennyson, Charles
Tierney, rt. hon. G.
Tremayne, J. H.
Tulk, C. A.
Warre, J. A.
Webbe, Ed.
Western, C. C.
Whitbread, S.
Whitmore, W.
Williams, T. P.
Williams, Wm.
Wood, M.
Wyvill, M.

TELLER.
Macdonald, Jas.

A second division took place upon an Amendment moved by Mr. Dawson, for a reduction of 5,000 men: Ayes, 130. Noes, 195. Majority 65. The original resolution was then agreed to.

HOUSE OF COMMONS,

Thursday, March 15.

BREACH OF PRIVILEGE—COMPLAINT AGAINST "THE MORNING POST."] Sir *R. Fergusson* said, it was with great reluctance that he, at any time, made a complaint of a breach of the privileges of that House. He was, however, induced to rise, in consequence of paragraphs of a most gross nature which had appeared in The Morning Post. An article which appeared in that paper of yesterday, libelled his hon. friend (Mr. Creevey), and all those who had acted with him the other night, in terms of the most unwarrantable nature, representing them as Jacobins, and people whose only object was to overturn the constitution. To-day this was followed up by a libel of a different character, in the shape of a letter signed "An Englishman." The writer of this letter accused his hon. friend, by innuendo, of a species of cowardice, in a transaction which had occurred betwixt him and an hon. baronet (sir G. Warrender). With respect to that transaction, he had to state, that he was the person consulted by his hon. friend; and if there was any dereliction of duty, or any point of honor unsatisfied on that occasion, it was he himself who was dishonored. As soon as he had had an interview with the noble lord opposite (lord Binning), who acted for the hon. baronet, he had no further communication with his hon. friend till the final arrangement of the affair; and he would assert, that a more base, false, or malicious libel never was inserted in any paper, than that of which he now complained. In consequence of some words which were dropped in the course of debate by the hon. baronet, seeming to reflect on his hon. friend, he had applied to the hon. baronet for an explanation. An explanation did eventually take place of a nature the most satisfactory. A similar libel had appeared in a Sunday paper, called "John Bull." As to that paper, he considered it a stain upon the public press of the country—a most malicious, false, and rascally publication. As far as party feeling went in dictating political animadversions, God forbid, that a libel of that kind should be punished. But the case was altered when it was private character that was attacked. And not only did this paper attack the virtuous living, but it raked up the ashes of the virtuous dead. He should not move, that the printer of The Morning Post be called to the bar of that House; for his only object in calling the attention of the House to the matter, was to assert his own honor, and that of his hon. friend, and he was satisfied that the noble lord opposite would bear him out in saying, that not the slightest imputation could rest upon the character of either from this transaction.

Lord *Binning* assured the gallant general, that he most readily complied with his call. He participated strongly with him in opinion, that matters of this sort, when once concluded, ought never to be disturbed. He had no hesitation in saying, that there was nothing connected with the transaction which was not perfectly honorable to both parties.

CARLISLE ELECTION—INTERFERENCE OF THE MILITARY.] Mr. *James* rose to bring forward his promised motion on this subject. It was a subject, he said, which involved not merely the rights of his constituents, but the rights of the British people. The fate of his motion would decide whether elections for members were or were not to be violated at the will or caprice of one or more country magistrates; whether, in fact, they were in future to be regulated at the point of the bayonet? It would be recollected that during the last session, he had presented a petition from the freemen of Carlisle, complaining of the conduct of three magistrates, who introduced a military force, when the freeholders were peaceably assembled, for the purpose of electing a member to serve in parliament. The question, it was clear, affected the very essence of the constitution: if, indeed, the constitution was not wholly to be dissolved, such conduct could not pass without reprehension. He would remind the House, that a noble lord, the member for Westmorland (lord Lowther) had stated that the charges in the petition were unfounded calumnies.* The noble lord had since visited the scene of action, and he had now an opportunity of correcting himself. He had no hesitation in saying, that the facts stated in the petition were true to the fullest extent. The facts were these: The late election for Carlisle had been unusually long, and much party feeling (which always existed in that place) was called into action during the progress of the election. On the first day, a scuffle took place in consequence of two bands of music coming in contact; it was however, nothing more than electioneering affray, and did not last for ten minutes. The agents of Sir P. Musgrave took that opportunity of applying to the mayor for military force, which the mayor refused. Here he would ask, how did it happen that during the election the military should have been permitted to remain in Carlisle? The law was clear on the point. Sir W. Blackstone had said in his Commentaries, that it was essential to the very being of an election, that it should be free, and that when the time and place of the election was once fixed, the soldiers should be removed from the place appointed for holding the election, the day before the commencement of the election, and that they should not be permitted to return until the day after the polling had closed. The mayor, though he had refused to comply with the call for military aid, had yet assured those who had applied to him, that if any impediment should be thrown in the way of the voters of sir P. Musgrave, he would himself lead them to the poll, he would call in a constitutional force sufficient to conduct them there. This offer, however, was refused by some of sir P. Musgrave's friends. In fact there was no necessity whatever that the military should be called out. In the course of the morning some other trifling scuffles took place, and another application was made for the military. The officer who commanded the military had never felt himself called upon to perform a more painful duty. It was an unnatural employment of a soldier to be called upon to apprehend for trial before a civil magistrate. What! were the military to be employed as constables? Surely it was not necessary to kill a man in order to apprehend him. One wretched man, of the name of Crosby, had been marched off to the Castle, and committed under a pretence of having assaulted one of the magistrates. He had been afterwards committed to take his trial for felony;

---

* See Vol. 2, p. 143.

but having remained in gaol from 24th of May to 12th of August, he was liberated without any prosecution or trial. It would be said that he was entitled to an action for damages. Yes, he knew that there was ground for such an action; but the fact showed the extravagant extent to which magistrates conceived themselves entitled to proceed. The magistrates could not have been ignorant of the law of the land; but they had been wilfully perverse. They had endeavoured to carry by violence and intimidation what they found they could not effect by fair means. This was an illustration of the consequences to be expected from the large military establishments which were required. This House had been wont to resist, with extreme jealousy and indignation, the slightest interference of the military beyond their constitutional limits; but modern politicians relied for every great exploit on the bayonets of hired troops. The parliament now directed its attention to any thing rather than to the relief of the distresses of a brave, a loyal, and a faithful people. The country was oppressed with barracks, and the petitions of the people were answered only by the sword. This state of things would, ere long, terminate in the total subversion of all civil order and of all law, or it would terminate in what some considered the best possible result—the calm despotism of a military government. But be the result the calm despotism of the sword, or the agitations of an outraged people, he, humble as he was, would ever strenuously contend against the wanton introduction of military violence into a peaceable assembly of the people. The hon. gentleman then moved, "That the said petition be referred to the Committee of Privileges."

Sir *P. Musgrave* opposed the motion. He said, that there was much rioting, that the civil power was quite unable to keep the peace, that the mayor was treated with the greatest contempt, that three of his own voters were so intimidated, that they thought it prudent not to give their votes at that time, and that the military were not called in until the necessity for their interference was clearly established. The hon. baronet read some letters and depositions to substantiate his positions, but so inaudibly, that a great part of the House itself could not have understood their contents.

Sir *J. Mackintosh* wished to make a few observations on the facts which had been stated by the hon. baronet. If he did any injustice to those facts, he hoped it would not be imputed to intention, not having so distinctly heard the statement just made as he could have wished. As far, however, as he heard the hon. baronet's luminous statement, he was inclined to believe that he justified the interference of the military, on account of the expression of popular feeling between the friends of the respective candidates. If this ground of military interference was conclusive, parliament ought immediately to repeal the laws regarding elections, and put them at once under military protection. All popular elections in the kingdom would call for the same interference as that which had been exercised at Carlisle, and the country ought therefore to transfer its confidence from the magistrates, who were the constitutional protectors of the peace—from the laws, which were the defence of privilege as well as power—to a military force which ought to be constituted the guardian of the right of election. By the hon. baronet's account, as far as he could understand it, the riot was said to have arisen from the violent conduct of an outrageous mob. Now, there were two species of language used by candidates at elections, according as they were successful or unsuccessful. That which was called a mob by him who saw through the eyes of a disappointed candidate, would appear to his more happy rival as an honest, spirited, and independent body of the citizens of Carlisle, enjoying the natural triumph of their constitutional exertions. But he (sir J. M.), who was more impartial than either, must say, that if the facts stated warranted the calling out of the military, there never was, or could be, a popular election which would not require military interference. Soldiers must be called out on all such occasions, as the exultation of the friends of the successful candidates were sure to be designated by his disappointed competitor as the conduct of an outrageous mob. There was, no doubt, a fact of great importance stated by the hon. baronet; it was, that no less than three of his voters had been so intimidated by the opposite party, that they thought it prudent to postpone their votes to a more quiet time. But what did this charge of intimidation amount to? He never saw a popular election in which some day did not occur upon which those voters who were fastidious of the right of voting under the most tranquil circumstances, might not choose a quiet season. The case, in fact, came to this, that either the military interference on such an occasion ought to be corrected, or the laws of election should be repealed, which guarded the subject in the exercise of his invaluable and sacred right of choosing representatives from armed dictation. He understood the hon. baronet to say, that the law of election justified the calling out the military, because the act which removed the military from the place of election, had a clause in favour of the troops in castles and fortresses, who were permitted to remain, and in this case, the troops which were called upon to suppress the scuffle among the electors of Carlisle, were marched out of the Castle of that town. But, the legal necessity for their interference should be established, as the exception in the clause was not made in order to facilitate the marching of troops upon the places of election, and to introduce armed men to sway the exercise of the most important rights of free citizens, but was merely made in favour of those castles and fortresses, that the troops might remain in and keep possession of them, notwithstanding an election in the neighbourhood. This clause did not endanger much the right of election; because there were very few garrisoned castles and fortresses in England; and therefore, if, where troops remained in such places during the time of an election, they were there to keep the peace, then the law must have provided for keeping the peace in places of comparative insignificance, and left those of the first importance unprovided for. In this case Liverpool must have been left exposed to popular disturbance, Bristol must have been left exposed —and other towns of the first character, while such inferior places as Carlisle were put under the rigorous guardianship of the military power. To introduce the military power on such occasions, without the last necessity, was a violence done not only to the letter but to the whole spirit of the constitution, and to the election laws in particular, which did not by any exception facilitate the marching of troops upon places of election, but only enabled the king's forces to keep possession of fortresses, notwithstanding the occurrence of elections in the neighbourhood. As far as he could hear the hon. baronet, his facts did not establish any material contradiction to those stated by the hon. mover. The hon. mover had stated his case with singular ability, and had convinced him of the propriety of calling on the House to refer the petition to a committee, in order to ascertain, whether a great outrage had been committed against one of the most valuable privileges of the constitution.

Lord *Castlereagh* said, that the troops had not been kept in Carlisle for the purpose of interfering with the election. The cavalry had been withdrawn and sent to a town in the neighbourhood; but sir John Byng, not knowing how to dispose of the infantry, had ordered the Castle to be shut upon them during the election. This order had been complied with, and no soldiers would have been allowed to go beyond the gates, unless they had been called for by the civil power. Though the law prohibited the presence of troops at elections, yet it recognized, and committees of that House had acknowledged, the interference of the military to protect the privileges of electors. The commanding officer, in this case, had brought out the troops at the request of three magistrates, after the riot act had been read. The three magistrates had called upon the officer to recall the cavalry who had been sent out of town; but the officer refused to do so without the order of the mayor; and the mayor having declined to order it, the cavalry were directed not to come. It was after the election that the two companies had been called out to quell a riot, after great care had been taken that there should be no military in the town during the election. It was plain that there was a very great riot. [" No riot whatever," from Mr. James.] Certainly it might be a question of privilege, but he was sure that it would be found that neither the magistrates nor the government wished to excite an unfounded alarm to justify the use of the military. If there was no cause for the alarm, upon which the magistrates called out the military, they must have acted erroneously; but he was convinced they had no designs hostile to the free exercise of the right of election. If they wished to overawe the freemen of Carlisle, they would have called out the military before or during the time of the election; but it appeared that the troops were not sent for until the polling was over, at least for that evening. However jealous the House ought to be of their privileges, he did not think there was a case to go before the committee of privileges.

Lord *Lowther* maintained that there had been a most malignant riot, calling for the interference of the military power to quell it, which military power was not introduced into the town until after the close of the election. The inquiries he had made led him to the conclusion that the magistrates had done no more than their duty. No case had been made out against them, and he entirely denied that the military had been resorted to with a view of overawing the voters and influencing the election. He would therefore move the previous question.

Mr. *Curwen* observed, that this was not a question between certain individuals of the town of Carlisle, but one which affected the privileges of that House and the rights of all the people. He maintained that there had been no riot, and not even as much blood shed as would cover the point of a pin. If there had been any riot, some person, he should suppose, must have been indicted by the magistrates in justification of their own conduct. But was that the case? One man, who asked the magistrates whether the Riot act was read, had, indeed, been committed, but had not been prosecuted. They had, indeed, wished to turn him out of the prison without any further proceedings against him; but the man had refused to go, stating that a gross violation of the law had been committed in his case, and that he would not stir, unless he was discharged by law. He was of opinion that if the House failed to notice the conduct of the magistrates, there never could be a case in which it could again interfere in vindication of its privileges. He should certainly vote for inquiry; and thought that if the magistrates were convinced of the rectitude of their conduct, they, more than any other persons, ought to wish it to be instituted.

Mr. *Wynn* observed, that the present was a subject which the House always regarded with the greatest jealousy. Unquestionably, that House was the tribunal before which all complaints of an infringement of the rights of the people, as respected the election of their representatives, ought to be brought. To call in the military during an election was an infringement of those rights, which nothing but the clearest necessity could justify. What had that House been in the practice of doing in cases of a similar nature? When, in 1741, the members for the city of Westminster called witnesses to the bar to prove that the church-yard, in the neighbourhood of the hustings, had been taken possession of before the commencement of the election by a body of armed soldiers, the House came to a resolution, "That it was a high infringement of the liberties of the subject, a manifest violation of the freedom of elections, and an open defiance of the laws and constitution of this kingdom." He would also read a short extract from the observations of one of the most eminent individuals who ever sat in the chair of that House—he meant Mr. Speaker Onslow, when—in compliance with the instructions of the House, he reprimanded the magistrates who had called in the military on that occasion. The hon. gentleman here read the extract to which he alluded. After citing the resolution, it proceeded—"It is impossible, if you well consider the terms of this resolution, but that you must have felt in your breasts the deepest sorrow and remorse for this rash act of yours, which, if it had not been animadverted upon, might have given the most dangerous wound to the constitution of this free country, that perhaps it had ever felt: this country, free, because this House is so; which this House can never be, but from the freedom of elections to it; and amidst the too many ways for violating that, none can be more pernicious, because none more quick, decisive and permanent, than what you might unhappily have set a precedent for, and which might have grown to an extremity, under the specious and ready pretences of fears and necessity, that supersede all law." It concluded by saying, "what you have done, is against one of the most essential parts of the law of the kingdom."* He should be ashamed to add a single word, after reading this quotation, which so clearly laid down the rule that the interference of the military on such an occasion was justifiable only on the clearest necessity. Undoubtedly, there might have been such a necessity in the present case; but that was a question which ought to be investigated, and he therefore thought the hon. member perfectly right in calling for an inquiry by that House, which was bound to defend the privileges of the people.

---

* New Parl. Hist. vol. 12, p. 328.

Mr. *Beckett* denied that the case of Westminster, and the present case were parallel. In the case of Westminster, the troops were placed near the hustings before the commencement of the election, and remained there the whole time. In the case under consideration, the military had not been called in until the poll had closed [No, no!]; at least, so it was stated in the petition. This was a very stale proceeding. If the conduct of the magistrates of Carlisle had been blameable, why was it not sooner inquired into? But was it blameable? Had there not been a considerable riot?—had not several men been knocked down, and some of their legs broken?—had not the Riot act been read three times? Were not those of the mob who remained, guilty of felony? and were not the magistrates, who acted on their own responsibility, justified in, at length, calling in the military, to put an end to that which they could not put an end to without them? But even if the magistrates were wrong, had the hon. mover taken the proper course on the occasion? Ought he not rather to have moved, that the petition should be referred to the examination of a select committee, or rather, ought not the whole business to have been submitted to the court of King's-bench? The courts of law were open to any one who had to complain either of this or of any other act of the magistracy. For his own part, he must state it as his opinion, that if the hon. member had been influenced by better feelings, or had been better advised, he would rather have taken a course very different from that which he had thought it his duty to pursue.

Mr. *Calcraft* said, he had never heard any question in which the clearest privileges of the House and the most valuable rights of the constituent body were implicated, treated, in the manner in which the present question had been treated by the right hon. gentleman who had spoken last. He was sorry that there should be any member in that House so lost to the love of liberty, so regardless of the privileges of that House, and so neglectful of the dearest rights of the subject, as that right hon. gentleman was on his own showing. The right hon. gentleman had said, that this complaint was now stale. Stale! A breach of the privilege of parliament, an interference of the military at the election of a member to sit in that House, was called stale: stale indeed; because it did not come in time to suit the palate of the right hon. gentleman, and therefore was to be neglected as unnecessary; or, if made out, was to be referred to the common-law courts, and to be decided by the common-law principles of riot. Was that the way in which infringements of the right of election were to be remedied? He regretted that a man who held sentiments so novel and so unconstitutional should hold a judicial situation of great consequence; and he believed that if the right hon. gentleman had ever ventured to express such sentiments before he had been appointed to that situation, he would not now have held it. To show that the military had been called in at all, was sufficient to justify inquiry. The right hon. gentleman had said, that the magistrates had caused the military to interfere upon their own responsibility; and the magistrates should be made to know that their responsibility would bring them to the bar of that House, if their conduct was complained of. That was the way in which he would advise the House to interfere in this question. He did not stand there to say that the magistrates could not be justified; but he did stand there to say that the House could not be justified if it did not examine into the conduct imputed to them. His hon. friend had moved that this complaint should be referred to a committee of privileges; perhaps it might have been better if he had moved that it should be referred to a select committee; but let it not be said, that when a party of magistrates caused the military to interfere with the rights of election, no redress could be obtained for the people, because the mode proposed to obtain it was not exactly the best possible.

Mr. *Bennet* said, that a noble lord had declared that there never was a more malignant riot than at the election for Carlisle. Now he could assure the House, that he, for one, had seen a more malignant riot, and that at the noble lord's last election. He had there seen a slave-dealer from Liverpool heading a body of bludgeon-men whom the noble lord kept in pay, and had seldom been more gratified than on seeing them routed and deprived of their *spolia opima* by the gallant peasantry.

Lord *Lowther* observed, that it was easy to call special constables bludgeon-men, but not very fair to call the captain of a merchantman a slave-dealer, after he had long ceased to exercise that traffic. With regard to the interference of the military, the Whigs had found their assistance necessary not very long since at a Westminster election.

Lord *Castlereagh* said, that finding there was a doubt on the point whether the military had been called in before or after the close of the poll, he certainly felt no longer any disposition to resist inquiry on the subject.

Sir *J. Graham* maintained, that there had been a great riot on the occasion in question, of which fact, no less than seven affidavits had been made, and that it was on that ground that the magistrates had issued orders for the troops to interfere.

The previous question was withdrawn, and the original motion agreed to.

BREAD.] Mr. *Harbord* rose, to move for the appointment of a select committee to take into consideration the existing regulations relative to the making and the sale of Bread, with a view to repeal the same. When it was considered that two-thirds of the population of the empire lived almost entirely on bread, it behoved the House to see that they were supplied with it at the cheapest possible rate, of the best possible description, and in just measure. That was not now the case. The existing law on the subject was pernicious in its tendency, inasmuch as it held forth to the poor the expectation of a protection which it did not realise, and prevented them from using that caution to which they would otherwise resort. He had referred to all the acts on the subject which had passed during the last 553 years. He would trouble the House, however, only with the general result which he had drawn from those acts. All that he now felt it his duty to do was, to point out the defects of the law as it existed. With regard to the remedy, some might think that there ought to be no legislative interference at all; others might be of opinion that this or that provision would be desirable. He intended to move for the repeal of the 59th of Geo. 3rd, c. 36, containing a clause which enacted, that in all cases of complaint against bakers, the complaint should be made within 24 hours after the bread was made, and should be supported before the magistrate by one or two disinterested witnesses. It was manifest that the *onus probandi* was here laid upon the wrong party, and that difficulties were cast in the way of the poor, who were most exposed to frauds of this description. The labouring poor in the country often bought their bread on a Saturday, and employed their children for that purpose. A deficiency in its weight might not therefore be discovered till Monday, when the time for receiving the complaint was gone by. In fact, he believed that in Norfolk, not one conviction had yet taken place under this statute, although a very short time before it passed, there had been 40 before one magistrate. In Dorset, similar effects had followed, and one magistrate had stated to him that he was averse to receiving complaints, from a fear of making the bakers acquainted with the actual state of the law. In the county of Stafford the same inconvenience was generally felt.

Mr. *Littleton* observed, that he had heard many complaints of the futility of the law in its present state. He was inclined to think that unrestricted competition would afford the public greater security than any legislative enactment, but was of opinion, at the same time, that there should either be an entire repeal of the law, or that bread should in future be sold by weight.

Sir *C. Burrell* observed, that the circumstance of the quartern loaf being now sold at 10*d*., whilst fine wheat was at 14*l*. a load, could only be ascribed to combination.

Alderman *C. Smith* observed, that wheat being at 14*l*. per load, the quartern loaf might be sold at 7½*d*.

The motion was then agreed to.

ARMY ESTIMATES.] On the motion for bringing up the report of the committee of supply,

Mr. *Bernal* said, he conceived the guards to be the most expensive force that the country could be called upon to maintain. They had become a sort of military police, and he was at a loss to conceive what reason could be assigned for stationing a subaltern's guard at the West-India Docks, a serjeant's guard at the British Museum, or a corporal's guard at so many different posts in every direction. They might be very proper at the Tower; but certainly a commercial body, like the West-India Dock company, were capable of protecting their own property.

Neither could he admit the fitness of a military guard for protecting the medals or rarities deposited in the British Museum. Now, the 100 men stationed at these two last-mentioned places would render a force of 400 necessary in order to afford reliefs. He was convinced, that 4,000 effective rank and file of foot guards would answer every purpose, and that the cavalry might also bear a considerable reduction. He wished for these reductions, if it were only as a pledge that this country was not to be made a theatre of experiment for introducing the military and despotic systems of the continent.

Sir *H. Hardinge* contended, that to assimilate the guards to regiments of the line would considerably add to the present expense.

Mr. *Lockhart* said, the House acted with regard to the public expenditure, like a prodigal, who first determined to spend a certain sum, and then proceeded to consider how he should get it. He objected to the report being brought up upon these principles, and maintained, that the committee was falsely termed a committee of ways and means. They did not consider the real ways and means by which the country might meet the expenditure, but merely recommended a given service to be supported by a given expenditure without estimating the means of the country. How could he tell that the repeal of the last malt duties, and of the husbandry horse-tax, might not be carried, and a deficiency consequently arise in the ways and means of the country to support the proposed expenditure?

Sir *H. Parnell* said, that the prospect before the country was sufficiently lamentable, for the reasoning of ministers was, that if there were no reduction of the army, there could be no diminution of expenditure, and consequently no reduction of taxation. The hon. member proceeded to advert to the military force kept up in Ireland, and contended, that the civil establishment in that country was not placed upon a proper footing. The great defect of the system was, that constables were appointed by the grand juries, and consequently were not sufficiently under the control of the magistrates. He was satisfied that if the civil force were placed upon a proper footing, the army in Ireland might be considerably reduced.

The report was brought up.

On the motion, that the first resolution for fixing the number of men at 81,468, be agreed to,

Mr. *Hume* said, he was under the necessity of moving, by way of amendment, that the number, instead of being 81,468 should be 71,468 men. He would take that opportunity of clearing himself, from the charge of having cast an imputation upon the guards. It was true he had said that some of them were kept up more for idle parade than real utility; but he meant this as no reflection upon the men; he merely wished to impress upon the House, that if a greater number were maintained than was necessary for the wants of the country, the only ends they could serve were those of idle parade. The great object which he thought most desirable in reducing the military establishment of the country, next to the saving in point of expense, was the necessity it would impose upon the magistracy of the country to depend upon the civil rather than the military power upon civil occasions. The occurrences at Carlisle, Dublin, and other quarters, ought to be so many lessons of caution to the House how they afforded facilities, by keeping up large military establishments, for the constant calling out of the military upon public occasions. As to the reliefs for the guards, he must say that they were created by the unnecessary manner in which that branch of the force was applied; for instance, it was impossible to pass into that House without seeing soldiers stationed in the avenues: there was actually a barrack in the House of Commons. Many evil consequences besides the expense arose from this practice; the regular civil police became relaxed and ineffectual. When any popular meeting took place, the peace was to be preserved by soldiers; a message was to be sent to the lord mayor to know how many guards he wanted, for there were plenty at his service. He had no wish to trench upon the comforts of the soldier, whose pay was doubled since 1792. [A cry of "No."] It was, he repeated, doubled. In 1792, the pay was sixpence a day; it was now a shilling. This was his arithmetical calculation; and he reminded the noble lord that he promised to be a match for him in arithmetic. His object was to reduce the numbers, and not the allowances of the soldier. He concluded by proposing his amendment.

Colonel *Davies* said, that as the chief objection to reduction had been the necessity of reliefs for foreign garrisons, he should show that the proposed reductions could be made without taking from the troops applicable to reliefs. The old colonies had now 17,000 men. In 1787, they had 12,245, and in the latter half of 1792, 13,277. If the garrisons of those colonies were reduced to the standard of 1787, 4,700; if to that of 1792, 3,700 men might be reduced. With respect to the force at St. Helena, he thought that every purpose of safe detention might be accomplished with one-half the garrison now maintained. One regiment of cavalry might, he thought, be reduced. He challenged any professional man to defend the maintenance of the waggon train, which was altogether useless. He thought the reduction proposed in the amendment could be safely carried into effect.

Mr. *Martin*, of Galway, said, that as the hon. member for Aberdeen, who might be called the leader of the Opposition, had proposed to reduce the pay of the soldier to one-half, would he get his party to pledge themselves to that measure?

Mr. *Hume* disavowed having made any proposition for taking away half the pay of the army.

Mr. *Hutchinson* considered the exertions of the hon. member for Aberdeen to redound as much to his own credit, as they would ultimately prove of advantage to the country. When the House had been voting an extravagant estimate on an impoverished country, he did not envy the feelings of the hon. member, who had endeavoured to turn into ridicule the efforts of those who exerted themselves to lessen the burthens of the people. He was proud of being one of those who had joined in those efforts: he acknowledged no leader: he had looked at the distresses of the people, the state of the finances, and the policy of the country, and he declared, as a man of honour, that he believed the vote to be extravagant and unnecessary.

Mr. *Bankes* said, that had he been present last night he should certainly have voted for the reduction of 5,000. In 1816 he had enforced the necessity of reducing the estimates so far as it was practicable to the scale of 1792. In the committee of finance, in 1817, he had pressed the same necessity, from a conviction that every attempt ought to be made to approximate the present with the former peace establishment as nearly as possible. Circumstances might, undoubtedly, render a greater number of men necessary at present than our situation in 1792 called for. The different system, for instance, on which reliefs were now conducted, could not be met by so small a number of men as was heretofore employed. There was, however, one point which strongly inclined him to think that the numbers now kept up were more than the present situation of affairs demanded. He alluded to the fact, that the establishment voted in 1819 was not so large as that now proposed. For his own part, he could see no reason whatever for voting a single man more than the force which in 1819 was considered sufficient. Looking to the state of the country, he saw nothing, either at home or abroad which could lead him to apprehend danger. The severe pressure of the times might, however, he was ready to confess, induce him to go farther in point of reduction, than perhaps he would be otherwise inclined to do. He would willingly vote for a reduction of 5,000 men; but he could not go as far as 10,000.

Mr. *Wilberforce* could not but think that the number of troops proposed to be kept up was considerably too great. Those who were at the head of the military establishment might be of opinion that the force called for was not more than sufficient; but, on the other hand, it was natural enough for the people, who were to defray the expense, to wish that the number proposed should be lowered. In such a state of things, the parliament ought to make itself, in some degree, responsible for voting a lower establishment than ministers themselves would like to propose. If at a future period a greater force were wanted for our internal or external security, the country would much more cheerfully respond to the call, if it were now shown that the House felt a due commiseration for the distresses of the people. The force for domestic service, especially for Ireland, appeared to him to be too great. Whether this was the case with respect to the colonies, where the superficies to be defended was so extensive, he could not say; but, looking to the entire vote, he thought the House would not perform its duty if it agreed to it without modifications.

Mr. *W. Smith* was of opinion that in the colonies a considerable reduction might be made in the military force. All the force necessary for their defence was one of sufficient magnitude to guard them from surprise by a *coup de main.* Now, which of the powers, in any one quarter of the globe, was likely to surprise, in a hostile way, a colony of Great Britain? Not one of our colonies stood in danger, either in *præsenti* or *in prospectu.* If they reduced their foreign garrisons, the saving would be more considerable than any that could be effected in any other branch.

Lord *Palmerston* said, that the increase since 1819 consisted of the augmentation of the regiment at New South Wales, from 650 to 1,000 men, which was effected in consequence of the representation of the governor of that colony. A regiment had also been appropriated to the service of Heligoland, &c., instead of proceeding on the old system of drafting companies to those places. He called on gentlemen to mark the situation in which the country would be placed, if they only voted 70,000 rank and file, which would be the number granted, if the amendment were carried, exclusive of the veteran battalions. There were at present afloat 4,550 rank and file, a body not now available for any purpose to which the army about to be voted was applicable. There were non-effectives of the line 4,400 men. There were at the dépôt at the Isle of Wight 3,100 raw recruits belonging to regiments abroad. Here, then, was a total of 10,250 rank and file to be deducted from 70,000, which the gentlemen opposite proposed. So that, in fact, they were only giving to government 60,000 men disposable for all the purposes which required a military force.

The question being put, "That the words proposed to be left out, stand part of the said Resolution," the House divided: Ayes, 116; Noes, 46: Majority against the Amendment, 70.

The resolution was then agreed to.

List of the Minority.

Althorp, lord
Allen, J. H.
Bernal, R.
Bright, H.
Bankes, H.
Calcraft, J.
Campbell, hon. J. F.
Crompton, S.
Evans, W.
Fergusson, sir R.
Farrand, R.
Grant, J. P.
Guise, sir W.
Gordon, R.
Graham, S.
Gaskell, B.
Hamilton, lord A.
Harbord, hon. E.
Hurst, R.
Hutchinson, hon. C. H.
Jervoise, G. P.
Lloyd, J. M.
Lockhart, J.
Lennard, T. B.
Milton, lord.
Moore, P.
Parnell, sir H.
Palmer, C. F.
Rickford, W.
Ricardo, D.
Robinson, sir G.
Robertson, A
Robarts, col.
Rice, G. R.
Smith, R.
Smith, W.
Smyth, J. H.
Stuart, lord J.
Sykes, D.
Tulk, C. A.
Tennyson, C.
Tremayne, J. H.
Webb, C.
Whitmore, W.
Wilberforce, W.
Wyvill, M.

TELLERS.

Hume, J.
Davis, C.

COUNTY COURTS RATE.] Lord Althorp moved the second reading of this bill.

Mr. *Lockhart* agreed in the principle of the bill, because he conceived it was not proper that the superior courts should be occupied in deciding causes, where the property in dispute, whether money or chattels, was of trifling value. It was also a great hardship on the suitor, who frequently lost 30*l.* or 40*l.* in endeavouring to recover a much smaller sum. The noble lord meant to remedy this evil by creating a sort of county judge—a barrister—who, with the aid of a jury, would be able, four times in a year, to determine causes of a certain value. Now, he conceived, that a new tribunal was wholly unnecessary. In his opinion, if the powers of the courts of quarter session were amplified, the duty could be done more constitutionally. This would be a much more respectable and efficient tribunal—more under the aggregate eye of the country, and attended with less expense to the public. He hoped the noble lord would explain whether there was any foundation for the rumour, that it was intended to pay the judges in these courts by allowing them a fee of 6*d.* for each cause. It was evident that such a regulation was quite incompatible with any thing like the respectability which ought to attach to the judicial character. It was not his intention to oppose the second reading of the bill; but if it went into a committee, he should certainly oppose it *in toto,* or move such an alteration as would prevent the appointment of barristers to the offices of judges in county courts.

Mr. *F. Palmer* hoped the House would not agree to the suggestion of his hon. friend of throwing the business in question upon the quarter sessions. The increase of business in that direction had already become very inconvenient.

Mr. *Chetwynd* conceived it necessary that some change should be made in the constitution of the county courts. The poor had great reason to complain of the impositions practised on them by the country attornies under the present system. As to the quarter sessions, they had already sufficient business; and if the House, by adopting the suggestion of the hon. gentleman, should overburthen the country magistrates, the consequence would be, that no gentleman would accept the office, and the country would be obliged to have recourse to that greatest of all curses, a stipendiary magistracy. At the same time, in the present distressed state of the people, he could not consent to any additional burthens on the county-rates, and therefore he should oppose that part of the bill which proposed to provide salaries for the judges by the imposition of a new rate.

The *Attorney General* had no hesitation in saying, that he thought the plan of the noble lord extremely objectionable. It went to establish a perfectly novel jurisdiction, and one that would be attended with heavy expense. The noble lord proposed to establish no fewer than 80 tribunals, with a barrister at the head of each. The salaries of these judges, considering that their time was likely to be occupied exclusively by the business of their courts, could not be averaged at less than 500*l.* a year, which amounted to no less a sum than 40,000*l.*, exclusive of the salaries of 80 clerks. The plan of paying the judges by allowing them a fee for each cause was too degrading to be entertained for a moment; and therefore their salaries must be paid out of the county-rates.

Lord *Althorp* said, that as the opinion of the hon. and learned member was unfavourable to the bill, he feared there was little chance of its ultimate success; but he would press it to a second reading, in the hope that he should be able to alter the bill so as to render it free from objection.

The bill was read a second time.

HOUSE OF COMMONS.

Friday, March 16.

Petitions respecting the Roman Catholic Claims.] Mr. Wilberforce presented a petition from certain Roman Catholics of Staffordshire and Warwickshire, against the bills now in progress for the relief of the Catholics. He did not concur in the prayer of the petition; but as it had been forwarded to him, he had thought it his duty to present it.

Sir *T. Lethbridge* said, that from the sentiments expressed by these petitioners, he would call upon the House to pause before they proceeded further with the bills now in the House, one of which went to give the Catholics what they wanted—the other to impose restraints upon them, to which they were not subjected at present. What reason could they have for thinking that these measures would satisfy the Catholics, when a petition like this was presented from them, with the name of Dr. Milner attached to it? If the bill, which the Catholics wished to pass into a law, were passed, the Protestants, he was sure, could not be satisfied, unless another bill were passed to impose such restrictions as could not be other than unpalatable to the Catholics. He could see no reason for two bills being brought in, unless he assumed that the one which the Catholics desired should be passed, was intended to be permanent, while the repeal of the other, at no distant period, was in contemplation. He had no doubt, that if these measures were passed, they would in a few years find the Catholics coming again to parliament to petition for the repeal of one of them. The loyalty and merit of the petitioners he would be the last man to deny. He had a great respect for the Catholics both of this country and of Ireland; but still he had ever thought it his duty to oppose their claims, and he would continue to do so. Granting all they desired would, in his opinion, be likely to subject the country to the same disasters which had unhappily been experienced at a former period of our history, and from which we had only relieved ourselves by means of laws—not like those now in force against the Roman Catholics, but by such as were in force fifty or sixty years ago. Of the repeal of those laws which were no longer in force, he did not complain, but he hoped the House would not take a course that would be likely to reproduce the misery formerly experienced.

Mr. *Plunkett* said, the hon. baronet had thought proper, in some degree, to anticipate the discussion of the subject, to which the attention of the House would shortly be directed, and he felt it necessary, therefore, to make one or two observations in reply to what had fallen from him. With respect to the signature of Dr. Milner, from which the hon. baronet appeared to derive so much satisfaction, he could not help saying that in that individual it was only an act of undeviating, consistent bigotry. If he had felt some exultation in his mind that a measure of the highest possible public good was now apparently on the point of attainment, it was with the deepest regret that he witnessed an attempt to darken the prospect of happiness and security. The same evil spirit which in 1813 came forward to blast the hopes of the Catholics, was once more at work. The name of Dr. Milner was not at the head of this petition, but he was persuaded that he was the prime instigator of it—he was satisfied that he was at the bottom of a measure, the object of which was, to destroy once more the hopes of his Catholic fellow-subjects. He had a right to say, that the sentiments of the Roman Catholics of this country could not fairly be collected from this petition. The petition of the Roman Catholics of England, which was laid before the House a few nights ago, was signed by seven apostolic vicars. Now there were eight apostolic vicars in this country, and the eighth apostolic vicar, whose name was not annexed to that petition, who disavowed that spirit of conciliation which animated his brethren, was the same upon whose intervention the hon. baronet had that night thought proper to congratulate the House. That gentleman was the same person, who, in 1813, came forward on the eve of the adoption of a measure for the relief of the Catholics, and by whose interference that measure had been abandoned. He had been censured and disowned by the Catholic board; and the House would judge of the bigoted spirit of a man, who could publicly declare, that the day on which Catholic emancipation was granted, would be a day of downfall of the Catholic religion in this country. What was the object of this man? What, but to prevent the possibility of Roman Catholic emancipation—to destroy all hopes of conciliation—to keep alive religious dissention—and render discord and dissatisfaction interminable, by perpetuating the distinctions between Protestants and Catholics. He had never expected a general concurrence; for it was visionary to expect the concurrence of bigotry. Bigotry was unchangeable; he cared not whether it was Roman Catholic bigotry or Protestant bigotry—its character was the same—its pursuits were the same—true to its aim, though besotted in its expectations—steady to its purpose, though blind to its interests, for bigotry time flowed in vain. It was abandoned by the tides of knowledge—it was left stranded by the waters of reason, and worshipped the figures imprinted on the sand, which were soon to be washed away. It was inaccessible to reason—it was irreclaimable by experience.

Mr. *Bright* was satisfied that this question could never be set completely at rest, unless the House conceded all the Catholics required, or resolutely took their stand where they now were. All who approved the Catholic claims, were either directly, or by inference, accused of bigotry. Let the Protestant Dissenter be first raised to his proper rank in the state; and then it would be time enough to consider what ought to be done for the Catholic Dissenter.

Sir *James Mackintosh* said, that the petition did not come before the House with that authority which might have been concluded from its title. There were in Staffordshire many ancient Catholic families, and yet none of those illustrious families, had put their names to the petition. He would ask, whether the omission of the names of the earl of Shrewsbury, lord Stourton, the Fitzherberts, the Cliffords, the Jerninghams, and others, who formed the ornament of the Catholic body, was no objection? He would have considered the authority of such names even superior to that of the right-reverend-vicar-apostolic. He would not apply the term bigotry to the Catholic, who on the one hand fanned the flame of dissention; or to the Protestant on the other, who laboured in the same unfortunate cause; but he was glad to find, that to a petition which was opposed to liberality, good sense, and the spirit of conciliation, there was not the name of a single Catholic gentleman of known respectability. The sole and undivided honour should be given to Dr. Milner, whom he believed to be the irreconcileable enemy of all union and mutual good-will between Protestant and Catholic, and it was not strange that such an enemy should be hailed by all Protestants, who, on the other side, held in alarm and detestation the union and sincere coalition of every class of his majesty's subjects.

After some further conversation, the Petition, together with several others, both for and against the claims of the Catholics, were ordered to lie on the table.

ROMAN CATHOLIC DISABILITY REMOVAL BILL.] On the order of the day for the second reading of this Bill,

Mr. *Plunkett* rose. He said, it was not then his intention to trespass long on the time of the House; indeed, after the indulgence which he had so largely experienced on a former night, it would furnish but a bad specimen of taste to go a second time into a general consideration of the question. When he took the liberty of opening his views on the question, he had described the measure as having for its primary object a great end of public justice. He had expressed a hope that it would be favourably regarded by all those whose interests it was designed to promote; and he had received great pleasure in finding, from all that had passed in the country with which he was most nearly connected, that his hopes had been more than realized; for he must take leave to say, that he never entertained the chimerical notion of being able to conciliate the approbation of all persons on such a subject. There were persons by whom that general satisfaction would be felt as a grievous calamity, who prized the religious hostility which they bore to other Christian sects and denominations as a valuable inheritance descended to them from their ancestors, and which it was incumbent on them to leave as a legacy to their children. With such persons he would not argue; they lived in a territory of their own, wholly inaccessible to any reasoning which he could employ. It was however some consolation to know that the measure, if carried, could not interrupt their happiness, but that they would rise the next morning in possession of as much comfort and security as they had ever before enjoyed, and, as he hoped, —for they were very worthy and respectable persons—they would long continue to enjoy. He must take that opportunity also of remarking, that he had never applied the term "bigotry" to the great body of Protestants with whom he had the misfortune to differ on this subject. Nothing could be more foreign from his disposition; and in truth, he felt the utmost degree of deference for sentiments, which, although they appeared to him to originate in prejudice and error, might be so regarded by him through his own prejudices and errors. Those errors, if they were such, he was ready to yield to the force of argument, and to a proof of actual danger arising to the establishments so justly dear to us, from admitting the Roman Catholics to share in the full advantages of the constitution.

It had been his endeavour, and that of the distinguished individuals who were associated with him in the preparation of this bill, to proceed with the greatest caution, and to evince a deference for the opinions of those classes to whom he was now alluding. Their object was not only to give security against danger, but to satisfy every reasonable apprehension. They had felt it to be their duty also to defer to the apprehensions and jealousies of the Roman Catholics. It was their wish to reconcile both Protestants and Catholics, by not yielding on the one hand what was necessary to the security of the establishment, nor demanding on the other what must violate the religious scruples of the Roman Catholics. The present state of public affairs, and the state also of the public mind, seemed to him peculiarly favourable to the success of this important measure. He considered that the indifference and apathy spoken of by an hon. member, as characteristic of the public mind, proved only that the people willingly left the decision of this question to the wisdom of their representatives. They were satisfied that nothing would be done by parliament to endanger the constitution, and they suppressed their own feelings from their confidence in the legislature. The time, therefore, was most favourable to a full consideration of those claims which had been so often and hitherto so unsuccessfully urged on behalf of the Roman Catholics.—Without further preamble, he should proceed to state the substance of the bill, endeavouring only to set himself right with the House, as to what had fallen from him in the former discussion. He had then asserted, that admission to the franchises and offices of the state was the right of every Roman Catholic liege subject, and that exclusion from eligibility was inconsistent with the first principles of the constitution. In the sense in which he had stated, and in which alone he could be supposed to have stated it, he now re-aserted that proposition. The right of the Roman catholic was precisely the same as that of the Protestant; but he never was so absurd as to maintain that that right could not be controlled by the exigencies or necessities of the state. If ever a clear case were made out to him of expediency arising from danger serious enough to countervail a general principle, he would say at once that the Roman Catholic must yield to the imperious rule which that expediency would dictate. But whence did the Protestant derive his claim to vote at elections, or to hold himself eligible to sit in parliament? Not from any written law or charter that he had ever met with; but from the first elements, from the essence and the stamina, of the constitution. The Roman Catholic complained that since the reign of Charles 2nd he had been subjected to certain disabilities. He did not deny the right of parliament to impose them, but stated that they were originally designed to be temporary, and were enacted in consequence of a suspicion that the reigning monarch was not a Protestant. The Roman Catholic added, that those circumstances had gone by; that there no longer existed any danger of a Popish king, or of a Popish successor. Therefore, he submitted, as the danger had ceased, so ought the restrictions which that danger alone had justified. If the Protestant could show no over-ruling necessity for the exclusion of the Catholic, could he show any principle by which it was made an essential or fundamental part of the constitution? The Catholic denied it: he challenged discussion; he contended that such a proposition was at war with the first principles on which that constitution was founded.

He was the more anxious to set himself right upon this point, because he had been supposed to argue the case of the Protestant dissenter, as well as of the Roman Catholic. But the truth was, that each question stood on its own special grounds; that of the Protestant dissenter was altogether distinct. As regarded the Roman Catholic, it was a question of danger between letting him in and shutting him out; but the situation of the dissenter was extremely different. Perhaps the House would allow him to explain the actual state of the Protestant dissenter in Ireland, as he believed the public was in general ignorant of it. The Protestant dissenter was not then subject to any test in Ireland, nor had he been for the last forty years. An act passed in the year 1780, exempted him from the operation of the Test act; the exclusion of the Roman Catholic did not, therefore, involve the Protestant dissenter. As he was now on this subject, he could wish to put the House in possession of a curious fact. The act of 1780 relieved the Protestants from the sacramental test: the words were distinct and positive, that from and after the passing of the act the Protestants should not be bound by the sacramental test. In 1793, an act passed to relieve the Roman Catholics; and it went on to state, that the Roman Catholics should be subject to no other disqualification or disability in this respect than those to which the Protestants were liable. Some persons, however, thought that the Protestants of the established church were not included, and that the act exempting from the sacramental test did not apply to them; and as some doubts and difficulties arose in consequence with regard to the Catholics, a statute passed the Irish House of Commons to explain the act of 1780, and to exempt the Protestants of the established church. It was sent up to the House of Lords, and there, on consulting the Journals, it appeared that it had been read with unexampled celerity three times in one day; that an amendment by the insertion of the simple word *not* was introduced, in fact negativing the whole object of the measure; and that being returned to the Commons, it passed in that shape unanimously. Under the operation of the law thus explained, the Roman Catholic in Ireland was therefore still liable to the sacramental test. He had thought it right to put the House in possession of this fact, to show how what had been meant here as a piece of justice, grace, and favour to the Catholics was marred in Ireland, by trick, artifice, and management.

He would now proceed to state particularly the nature of the bill, as framed by the committee on the resolutions of the House. The bill for removing disqualifications comprised two distinct objects. First, the disqualification by reason of the oath of supremacy; and secondly, the disqualification by reason of the declaration of transubstantiation. As to the last, he need not long occupy the time of the House; for he had never heard any man, whether clerical or lay, contend for the propriety of that declaration: it was justly considered injurious to the best interests of Christianity, and incapable of affording any real benefit or security. Though it contained several points besides transubstantiation, such as the invocation of saints and the sacrifice of the mass, yet it formed but a small portion of the faith of the Roman Catholics; and if in the progress of investigation, or in the course of time, those points were to be changed, there would still remain the doctrines of purgatory, the sacraments, and auricular confession. It was also imperfect in this respect; for if the object were to exclude the Roman Catholics, it did not effect that object. A man might subscribe this declaration for his convenience, and yet continue a Papist; and therefore it was not the sort of security the House ought to have. A Roman Catholic might say, "I choose to sacrifice to my interest the strictness of my religion, and become a member of parliament. If this were discovered, it would be the duty of the House to expel such an individual. And why? Because he had sacrificed his religion, because he had complied with the strictness of the penal laws of the Protestants, which tempted men to set the desire of the honours of the state above the clear dictates of conscience. On this account he stated, that the law carried on the face of it the marks of haste and imperfection.

He would now pass without further remark to that part of the bill that related to the oath of supremacy. It had struck him to-night with some degree of surprise to find that the right rev. gentleman who presided over the Catholics in the midland district of this country had taken upon himself to say that the explanation or modification of the oath of supremacy in the intended bill, was inconsistent with the doctrines of the Roman Catholics; because, if any point could be established by undeniable documents anterior to the Reformation itself, it was, that the condition of the complete and absolute dominion of the king of these realms, as to all civil and religious rights, was perfectly reconcileable with the doctrines of Catholicism. He would state one or two facts upon this subject. Before the Reformation, the great body of the acts was passed by a Roman Catholic parliament, and the exclusion of the See of Rome from interfering with the political concerns of the kingdom was perfect before one of the doctrines was changed in it. In the time of Henry 8th, any one who would have been hanged as a traitor for decrying the authority of the King, would have been burned as a heretic for impugning the doctrine of transubstantiation. When the statute of Philip and Mary, which restored all the Roman Catholic doctrines, passed, it contained in itself an express saving of all the acts prior to the 28th Henry 8th. He next came to the proceedings of queen Elizabeth; and he had already noticed her admonition published at the beginning of her reign, and the accompanying admonition and injunction afterwards incorporated in the act passed in her fifth year. He begged to recall the attention of the House to the precise words of the queen's admonition: they were these:—"For certainly her majesty neither doth nor ever will challenge any authority other than that was challenged and lately used by the said noble kings of famous memory, king Henry 8th and king Edward 6th, which is and was of ancient time due to the imperial crown of this realm; that is, under God, to have the sovereignty and rule over all manner of persons born within these her realms, dominions, and countries, of what estate, either ecclesiastical or civil, soever they be; so as no other foreign power shall or ought to have any superiority over them. And if any person that hath conceived any other sense of the said oath, shall accept the same oath with this interpretation, sense, and meaning, her majesty is well pleased to accept every such in that behalf as her good and obedient subjects, and shall acquit them of all manner of penalties contained in the said act, against such as shall peremptorily and obstinately refuse to take the same oath." Thus, what the vicar of the midland district denied was expressly stated.—The hon. gentleman, in further confirmation, read the opinion and explanation given by bishop Burnet upon the subject, which showed the policy of the queen, and the obstacles that stood in the way of what she desired to accomplish. The only other point on which he would trouble the House was that of supremacy, which was fully explained in the 37th article of our church:—"The king's majesty hath the chief power in this realm of England, and other his dominions; unto whom the chief government of all estates of this realm, whether they be ecclesiastical or civil, in all causes doth appertain; and is not, nor ought to be, subject to any foreign jurisdiction." There was not a word in the whole of it which the Catholics were not ready to adopt. It proceeded "Where we attribute to the king's majesty the chief government, by which titles we understand the minds of some slanderous folks to be offended, we give not to our princes the ministering either of God's word, or of the sacraments; the which thing the injunctions also lately set forth by Elizabeth our queen do most plainly testify; but that only prerogative which we see to have been given always to all godly princes in Holy Scriptures by God himself—that is, that they should rule all states and degrees committed to their charge by God, whether they be ecclesiastical or temporal, and restrain with the civil sword the stubborn and evil doers." Such were the terms of the articles—such the terms of the admonition—and such the terms of the act of parliament in which it was incorporated: and after all this, it was really too much to say, that in putting this interpretation on the word, the framers of the bill were at war with the principles of the Reformation.

He now begged permission to read the terms in which the explanation of this oath had been framed in the bill upon the table. They were the following:—

"And whereas by certain acts, passed in the parliaments of Great Britain and Ireland, the oaths of abjuration, allegiance, and supremacy, therein provided, are required to be taken for certain purposes therein mentioned; and the said oath of supremacy is expressed in the following terms:—'I, A. B. do swear, that I do 'from my heart detest and abjure, as impious and heretical, that damnable doctrine and position, that princes excommunicated or deprived by the pope, or 'any authority of the see of Rome, may 'be deposed or murdered by their subjects, or any other whatsoever; and I do 'declare that no foreign prince, prelate, 'state, or potentate, hath, or ought to 'have, any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm. 'So help me God.'

"And whereas his majesty's Roman Catholic subjects in Great Britain and Ireland have been at all times ready and desirous to take the said oath of allegiance in common with his majesty's other subjects; but entertain scruples with respect to taking the oath of supremacy, so far as the same might be construed to import a disclaimer of the spiritual authority of the pope or church of Rome, in matters of religious belief.

"And whereas it appears, from the admonition annexed to the injunctions of her majesty queen Elizabeth, published in the first year of her majesty's reign, and sanctioned by the act passed in the fifth year of her reign, entitled, 'An Act for 'the assurance of the Queen's regal 'powers over all estates and subjects 'within her dominions,' that such disclaimer was originally meant only to extend to any such acknowledgment of foreign jurisdiction, power, superiority, pre-eminence or authority, as is or could be incompatible with the civil duty and allegiance which is due to his majesty and successors from all his subjects."

Here he proposed to introduce an amendment by the insertion of the following words:—"or with the civil duty and obedience which are due to his courts, civil and ecclesiastical, in all matters affecting the legal rights of his majesty's subjects." He had added these words to meet the doubts and accommodate the fears of all parties. Neither he nor the hon. friends whose assistance he had had in framing the bill, were tenacious of words. All he entreated was this—that no gentleman would look at this bill with the eye of a metaphysician, a casuist, or a critic; but with the plain good sense that the subject demanded, in order to see whether the distinction was not plainly marked between what was merely conscientious and what was an interference with the rights and powers of the King. Coming to the clause relating to the declaration against transubstantiation, he proposed to strike out the words "and may, therefore, properly and safely be abrogated," and insert the following—"as a qualification to enable his majesty's subject to take, hold, or enjoy, any civil right, office, or franchise." The House was aware that, by the disabling code, the Catholics were shut out from the inheritance of landed property, but certain relaxing statutes removed the disability on the taking of the prescribed oaths of abjuration, allegiance, and supremacy. If the words as they now stood were adopted, they could succeed without any such oaths; and if he were to act according to his own views, he should abolish all distinctions between the Catholics and Protestants, but still he thought that so important a change of the law ought not to be effected indirectly. He did not know that all the Roman Catholics would adopt the construction put in the bill upon the oath of supremacy; the greater number were unquestionably ready to do so, but he could not answer for the scrupulousness of some nice consciences. A few might complain that they had received an injury from this bill—that at present they could succeed to landed property on taking certain oaths, with a certain interpretation which they could allow; but that their conscience would not permit them to take the oaths with the interpretation now annexed. To avoid this objection, he had framed a separate clause which gave the Roman Catholic the opportunity, at the time the oaths were administered, of stating the interpretation he gave to the oath of supremacy. It appeared to him most desirable that there should be no division or separation of oaths; nothing to make the Catholic separation distinct from the Protestant, but that as much uniformity as possible should be introduced. It might be desirable not to part with oaths, to the continuance of which the great body of Catholics had no objection. With reference to this part of the subject, he must say that he thought the oath a question of theoretical discussion. It could be considered and discussed in the committee, and it would be very easy if then there should appear an imperative necessity for continuing this oath, to engraft it upon the bill.

Having stated what was the general scope of his bill, he now came to the exceptions which it contained. It provided, in the way of exception, as follows:—"That nothing herein contained shall extend, or be construed to extend, to enable any person, being a Roman Catholic, to hold and enjoy the office of lord high chancellor, lord keeper, or lord commissioner of the great seal of Great Britain, or of lord lieutenant or lord deputy, or other the chief governor or governors of Ireland." The exceptions in the bill went no farther than these offices. It would be open for any hon. member to propose other exceptions if he thought proper; but the reason he felt these enough was, because he was quite satisfied with the propriety of admitting the Catholics to possess eligibility to all other offices. These offices were essentially vested in the choice of the Crown, and he saw little necessity for apprehending that the Catholics would ever look up to them. He was aware that a right hon. gentleman opposite (sir W. Scott), and others who thought with him, were decidedly hostile to admitting Catholics to an eligibility to seats upon the bench. He felt peculiar respect for those who conscientiously differed from him, but he really thought the right hon. gentleman's argument in support of his objection quite insufficient. The right hon. gentleman candidly admitted that, if Catholics were elevated to the bench, he did not mean to insinuate that, in their general administration of justice, they would act unbecomingly; but his apprehension was, that if a question arose upon any subject connected with religious feeling between a Protestant and a Catholic, the Catholic judge must necessarily lean to the interest of his own religious persuasion, and against that of the Protestant. He begged the right hon. gentleman to consider the consequences of his argument, and to what a dangerous extent it might be carried. If the Protestant were justified in raising this inference on account of the naturally religious partiality of the judge, what must be the feeling of the Catholic when his rights are at stake, from the Protestant judge sitting alone, without the assistance of a judge of another religious community? But this inference could never be maintained: the apprehension was perfectly groundless. Away with such unworthy distrust! It went at once to dash the cup of conciliation from the lips of the Catholic, and to bereave him of his just hopes. He was satisfied no Catholic had the least idea that he did not receive the fullest justice from the judges on the bench. The Catholics had the most perfect confidence in them; and he intreated that Protestants would view with the same just and liberal feeling the acts of their Catholic fellow-subjects in whatever situations they might happen to be placed. With respect to the two universities of Oxford and Cambridge, the bill provided that all their existing institutions should remain in exactly the same situation in which they stood at present. The test laws were left as they stood, and liable only to the operation of the annual indemnity bill.

He would now come to the second bill, the title of which was, "To regulate the intercourse between persons in holy orders, professing the Roman Catholic religion, with the see of Rome." It set out with stating, that it is fit to regulate the intercourse and correspondence between the subjects of this realm and the see of Rome. It states, that "whereas it is expedient that such precautions should be taken in respect to persons in holy orders professing the Roman Catholic religion, who may at any time hereafter be elected, nominated, or appointed to the exercise or discharge of episcopal duties, or functions of a dean, in the said church, within any part of the United Kingdom, as that no such person shall at any time hereafter assume the exercise or discharge of any such duties or functions within the United Kingdom or any part thereof, whose loyalty and peaceable conduct shall not have been previously ascertained to the satisfaction of his majesty, his heirs, or successors." On the subject of the intercourse between the Catholic clergy and the see of Rome, he was entitled to assert, that it had long been carried on merely for spiritual purposes, and that in no single instance was it found to have been carried on for any factious or party purposes. With respect to the appointment of the Roman Catholic bishops by the Pope, the nomination was formally made in that manner; but to all intents and purposes not practically. In no instance did the Pope, in point of fact, practically exercise this right: so that in making any provision respecting the appointment of the Catholic bishops by the pope, he was providing a theoretical remedy against a theoretical danger. Although there was no practical evil to be guarded against, there was yet that sort of apprehension upon which the Protestant mind had a right to be satisfied. As to the actual nomination of the Catholic bishops in Ireland, there had been a series of disputes and a variety of claims. It was first among the Catholics contended, that the bishops of the province should elect one to fill the vacant see; then, that the dean and chapter should; and, lastly, the parish priests put in a claim to the right of election. But, in all these instances, the nomination by the pope was practically excluded. The pope had, therefore, practically, as little to do with originating the nomination of the Catholic bishops in Ireland, as he had with the nomination of the Protestant bishops in England. But to give satisfaction to particular scruples, he had introduced this proviso into his bill, however practically unnecessary; and it stipulated that an oath in the following terms should be taken by every Roman Catholic individual, who was initiated as a clergyman into holy orders, for the purpose of satisfying the state that their intercourse with the see of Rome should be confined exclusively to ecclesiastical matters. The proposed oath was as follows:—

"I, A. B. do swear that I will never concur in or consent to the appointment or consecration of any Roman Catholic bishop, or dean, or vicar apostolic, in the Roman Catholic church in the united kingdom, but such as I shall conscientiously deem to be of unimpeachable loyalty and peaceable conduct; and I do swear that I have not and will not have any correspondence or communication with the pope or see of Rome, or with any court or tribunal established or to be established by the pope or see of Rome, or by the authority of the same, or with any person or persons authorized or pretending to be authorized by the pope or see of Rome, tending directly or indirectly to overthrow or disturb the Protestant government, or the Protestant church of Great Britain and Ireland, or the Protestant church of Scotland, as by law established; and that I will not correspond or communicate with the pope or see of Rome, or with any tribunal established or to be established by the pope or see of Rome, or by the authority of the same, or with any person or persons authorized or pretending to be authorized by the pope or see of Rome, or with any other foreign ecclesiastical authority, on any matter or thing which may interfere with or affect the civil duty and allegiance which is due to his majesty, his heirs and successors, from all his subjects."

He would not say that this bill was likely to receive the unqualified assent of the Roman Catholics at large; that it would be at once received as a popular or favourable measure; but he did think and expect, that it would be gratefully received by the great majority of the Catholic clergy and laity. He begged to assure the right hon. gent. (Mr. Peel) that if he referred to the resolutions of the Catholic clergy in 1813, as indicative of their permanent opinion or wishes upon the subject of a legislative measure for their relief, he greatly deceived himself. Their declaration in 1813 was not that the bishops would not give the Crown a voice in the nomination of their body, but that they could not then grant it without incurring schism until they received the consent of the pope. So far only went the resolutions of the Catholic prelates in 1813. The case was altered since; for the Catholic clergy of Ireland had had an opportunity of communicating upon the subject with the pope, who had given his consent to the arrangement, and had declared that he saw nothing in it inconsistent with the principles of his church. The Catholic prelates had received this opinion of the pope: they had pronounced no expression of disapprobation thereon. The right hon. gentleman did not put the point fairly, when he declared, that he wanted the bishops approval of the bill of 1813. To expect this public expression of approbation was neither just to the Catholic clergy nor respectful to the legislature. Was it right that the legislature, before it enacted a measure which it conceived founded in justice and necessity, should canvas about for the opinions of particular individuals upon the specific measure? If any measure were in its accomplishment calculated to sow discord among a large portion of the people, it would be wrong to press it. But, was it right to call upon the bishops, in the first instance, for a public avowal of their sentiments, where no reason existed for supposing that they entertained a contrary opinion? It had been said, that although the pope was desirous for the veto, the great majority of Catholics were against it. This certainly showed how groundless were the fears of those who apprehended so much mischief from the direct influence of the pope upon the Catholics; for they, it seemed, were generally determined to have an opinion of their own, notwithstanding the power of the pope. For his own part, he believed the measure would be very palatable, and that the people would gladly receive what parliament was, he trusted, disposed liberally to grant. When the measure was before parliament, he had expressed his opinion in favour of domestic nomination. But, in framing the bill, he knew not how to arrange it for domestic nomination; for he could not find that the Catholics had any definitively fixed system of domestic nomination among themselves. It was therefore impossible to fix one upon them without unjustifiably obtruding upon them laws for the internal regulation of their own ecclesiastical regulations.

He owed it also to the House to state the reason why he did not, as in the bill of 1813, consolidate the ecclesiastical and civil arrangements of the question, and why he preferred that they should be kept distinct, and made the subject of two specific bills. The one bill did not necessarily arise out of the other, as cause and effect; for the Catholic layman was entitled to his civil rights, without any connexion with the ecclesiastical rules of his communion. When he drew this distinction, he admitted the propriety of their legislating upon both points at the same time. They were now, he hoped, going to put his majesty's Roman Catholics upon the same footing as the rest of the people, and to put an end for ever to these impolitic and jealous distinctions. When performing this great work, he thought it expedient to embrace the whole of the question in one comprehensive view, and to legislate for it at once. They were in doing so justified in guarding against the possible abuse of the control of a foreign potentate over a clergy in the dominions of another sovereign who had naturally considerable influence over the subjects of that prince. He still thought it right that the ecclesiastical parts of the measure should be separated from those which were purely belonging to the laity. He had also another reason. The clergy might feel disposed to assist in carrying the ecclesiastical arrangements in effect, and yet might not wish to do so at the actual time when the particular question of the laity was at issue;—that is, they might have some delicacy in seeing the two matters mixed up together, lest the one should appear like a compromise or a barter for the other. When he stated this necessity for keeping the bills separate, he claimed credit from the House when he said, that both he and the gentlemen who had assisted him in preparing the bill, were perfectly ready to admit that, if the first bill were passed, the second must go on. Indeed, if the first bill went in its present shape through a committee, he was ready to say that there might arise no objection to the consolidation of the two bills in the committee. Of course he made this observation with reference to the event of the main principles of the first bill being adopted. The bill he proposed consisted of various parts: it might be granted *in toto*, or in part. It might be either in a small or in a great part conceded. If only in a trifling part (which he could not possibly anticipate), the concession might not justify them in calling upon the Catholics for these ecclesiastical arrangements. A case might arise—he hoped it was very unlikely—that the first bill should pass in such a shape as to be stripped of those inducements upon which the concessions were grounded and justified. Suppose, for instance, the House should decide upon merely granting the English Catholics the same privileges which the Irish had long enjoyed that consession to the English would be no boon to the Irish Catholic, and would not justify the legislature in exacting conditions from him, where it conferred no advantage. The Irish Catholic would gain nothing by the alteration, and ought certainly, in such an event, not to be called upon for any alteration of ecclesiastical arrangements. It was therefore desirable, that the House should, in the first instance, proceed with two bills, and when in the committee it would be time enough to consider how far it would be proper to consolidate their principles.

An hon. gentleman (Mr. Croker) had suggested that it would be right to propose a provision for the Roman Catholic clergy. He could not concur with the hon. gentleman in the expediency of pressing his suggestion at the present moment. When the principles of the present bills were admitted and acted upon, then such a suggestion might be made with propriety, and he doubted not with success. The present time was, however quite unsuitable for its introduction. The clergy would look at it as if it were a treaty into which they were called upon to enter as a condition for securing to the laity their civil rights. Indeed, he doubted the competency of any member to bring it forward without the concurrence of his majesty's advisers. The moment was favourable for enabling the Crown to derive whatever popularity might attach from a boon to the clergy. When queen Elizabeth manifested a desire to extend the liberality of her toleration, she was thwarted by the foreign measures in which she was compelled to embark. Such was the state of things up to the time of the Revolution; and, unfortunately, after that event, the measures of the Pretender continued to assume such a character, as prevented liberal sovereigns from acting upon their own feelings towards the Catholics. Ireland, during the same length of time, was still more unfavourably circumstanced; for, before the English possessed Ireland, a pure religion, considering the state of the times, was professed in that country, and popery was introduced there by the English, and made to supplant the form of religion which had preceded it. Ireland, he repeated, became essentially popish, by the act and effort of England. It was not till the Revolution that the Catholics of Ireland were in a settled state in the country. In England there had been two rebellions and one insurrection since that period, and yet the Catholics of Ireland had been uniformly tranquil; and upon that proof of their allegiance they grounded their claim for a removal of those disabilities which were now prolonged against them. It was the uniform tenor of this conduct which justified the proviso of the bill. He had trespassed longer upon the time of the House than he had intended, in submitting to them the details of the two bills. He implored the House to adopt them to conciliate that kind-hearted, enthusiastic, loyal and suffering people;—to enable the throne, at the moment when it might do so with safety to confer the high and noble privileges which belonged to the free subjects of a free government, upon the Roman Catholics of this realm—to enable the monarch to enjoy the gratification of seeing the hearts of his subjects throb with gratitude for his gracious acts, and approach his throne ready to shed the last drop of their blood and spend the last shilling of their treasure in support of the laws and constitution, in the whole benefits of which they were allowed to participate.

Sir *William Scott* said, that the bill which his right hon. friend had introduced had been printed and in circulation for a fortnight, so that the minds of members must have been made up, and they were prepared to come to a discussion upon it. But now his right hon. friend had introduced a number of alterations, of such variety and extent, that he appealed to any member who had heard the statement whether he could fully understand the bearing of it, and which at any rate they had had no opportunity of considering. He appealed with confidence to the House whether they could know in what state the bill would be after these alterations had been made? He therefore submitted to his right hon. friend's candour, whether some method should not be taken to put the House in possession of the alterations proposed before the discussion. The alterations were of that magnitude that they amounted to a declaration that the bill in its present state could not be supported. In that case, what course was to be taken? Were they to proceed to the discussion of a bill which had been in a great degree, abandoned? This would be to waste the time of the House. He should therefore be obliged to his right hon. friend if he would submit any course which could put them in possession of the bill now to be proposed.

Mr. *Plunkett* said, he was not sensible that he had proposed any alteration in the principle of the bill. He might have reserved himself for the committee to propose his amendments, but he thought it fair and candid to apprise the House of what he intended to do. He was not aware that there was any complexity in his proposed amendments.

Mr. *Bankes* said, that the principle of the bill which they were now assembled to discuss, was intended to be carried to a degree which could not be approved of by those whose views of this subject, though liberal, were moderate. The principle of the measure conceded the right of admissibility to every office in the country as belonging to every person of every sect. This was a principle somewhat similar to that which was held by individuals who contended for the radical doctrines of universal suffrage and annual parliaments—doctrines which he was convinced his right hon. friend held in utter detestation. Now, he knew no state that would admit to its dearest privileges, persons who, to be consistent with themselves, must desire the destruction of an important portion of that state. The Catholic church would allow no communion with any other church: it held, that no toleration should be granted to any other church; it declared that there could be no salvation out of the pale of that church. As to a communion with a different church, it would be considered, as the pope himself had said, "like the communion between Christ and Belial." Persons professing this belief could, in his opinion, have no other desire than that the Protestant establishment should not be suffered to remain as it at present stood. The hon. gentleman who supported this bill, though their fears did not go so far as his, seemed, however, to apprehend some danger of this sort. If they did not, why were these particular securities required? Or why did they recur to securities at all? Why did the right hon. gentleman contract the general right, which, in the first instance, he had laid down so broadly? Why did he propose to exclude the Roman Catholic from any office whatsoever? If they had this sort of inherent right, why attempt to bar it in any degree? Why interfere with the Roman Catholics, by any restriction, if they were, as the right hon. gentleman had called them, liege and loyal subjects? But, he would ask, was this doctrine of inherent right, thus laid down, fair to the sovereign himself? If it was improper to exclude from certain situations an individual professing the Roman Catholic religion, what right had they to demand of the sovereign on the throne that he should profess particular tenets? There was something so revolting in the doctrine, that though the principle was laid down very widely at first, yet it was immediately after narrowed; for the purpose of showing that those who supported this measure were willing, in some degree, to provide against danger. But those gentlemen argued, not only from the innocence of the Roman Catholics, with respect to any attack on the Protestant church, but also from the impracticability of their effecting any sinister designs, even if they entertained such an intention, that the most perfect safety and security might be relied on. That safety and security, however, he wished to establish on a firmer basis. "What danger," demanded the friends of the bill, "can be apprehended from the small number of peers who, if the bill passes, will sit in parliament; or, from the few Roman Catholic members who will obtain seats in the House of Commons?" It was said, that the number of commoners who would obtain seats in parliament, in all probability would not exceed 100; and that, from so small a body, no danger could reasonably be apprehended. The number, however, did not at all affect the principle of the measure. But he would go further, and contend, that even so small a number as 100 members—nay, less than that number—when leagued together in that House for any specific purpose, might, within no very long time, have an opportunity of causing themselves to be effectually heard in parliament. Divided as that House might be, such a body, acting in unison, would ultimately possess the power of effecting any object they might take in hand. And might it not, under such circumstances as he had alluded to, become the object, and the attainable object, of men, powerful with respect to their connexion, and powerful also with respect to money, to bring forward, in any one parliament, a vastly greater number of persons of the Roman Catholic persuasion than the usual average amounted to? What had they to oppose to this evident danger? They were told that the succession of the Crown was "permanently and inviolably established in the Protestant church." This was their security. But what was the meaning of the words "permanent and inviolable"? Let the House consider, when they were legislating, how weak and feeble any such clause must be, when opposed to new circumstances, and advanced against all those occurrences which time might roll on them. There was nothing so foolish as to think of legislating for futurity. How was it possible to contend, that, against such danger as he had described, and against instruments so powerful, to carry it into effect, they would find safety in those miserable securities of permanency and inviolability? The right hon. gentleman had stated that the question was to be done with for ever—that the present measure was to close the door against any future agitation of this subject. Was it really possible that a gentleman of his acuteness could suppose, that what was originally possessed by the Roman Catholics could not again be sought for? While any thing remained, unconceded, they would be anxious to grasp and to possess it. When parliament granted concessions, they were only building up steps by which the Catholics would endeavour to reach at greater immunities. Could the right hon. gentleman imagine, that the exclusion from honours, distinctions, and offices, in which only a few of the Catholic population could hope to participate, would have the effect of inflaming all Ireland, from one end to the other, and yet, that a system which touched their property—which affected that, the slightest interference with which every man was alive to—would create no irritation of feeling? Would they take no steps to remove what they must necessarily look on as a material grievance? Would they not consider it a great injury to be subjected to the maintenance of a church which they held in abhorrence? If they did not, they must be men of a different description from those born in any other country. Did the right hon. gentleman believe that this settlement could be fixed permanently—that it could be made to last for ever? When Roman Catholic members got into that House—be their numbers greater or fewer—would they not, when possessed of the privilege of being heard within those walls, immediately set about freeing themselves from that which they must feel to be a most vexatious grievance? There were others, also, who felt this tax on their property to be a grievance; who looked with jealousy on the Protestant, as the dominant Church, and who would, therefore, lend their assistance to the Catholic, to remove the burden. An hon. gentleman had given notice that, if this bill were read a second time, he would move that a provision should be made by government for the Catholic clergy. The right hon. gentleman deprecated this measure as premature; but he allowed that the time would come when it would be proper to make such a provision. He, however, would tell the two honourable members that they need not give themselves any trouble on the subject; because, if they once put the power into the hands of the Catholic church, they would be able and willing to help themselves. That they would suffer the ascendancy of the Protestant establishment, after this measure had passed, appeared to him to be a thing as impossible as it would be for the most common cause not to produce its natural and necessary effect. If the bill were carried, he knew not how the Protestant church in Ireland could remain in its present state. He supposed the business would go on in this way:—First of all some under-rate Catholic establishment would be asked for; and afterwards, by the means he had stated, a farther establishment would be demanded and granted. But, if it were found that such an establishment swallowed up the revenue, and that the credit of the country was sinking in consequence—would not politicians, such as he had described, endeavour to defray the expense from the church establishment? and would not this naturally lead to an alteration in benefices and clerical appointments? The course now pursued appeared to him to be more objectionable than that proposed in 1813, when the admission to certain privileges, and the consequent securities, were blended in the same bill. In this instance, two measures were introduced. The one gave up every privilege to the Roman Catholics, particularly that of sitting in parliament, which was the greatest of all. The other had reference to the securities. Now, it was possible that the first bill might pass, and the second be rejected: in which case, the Catholic would be placed in possession of most important privileges, without giving any security at all. But, supposing the two bills to pass. In that case, perhaps the measure relating to the ecclesiastical establishment would be not only rejected, but anathematized by the Catholic clergy of Ireland. The Roman Catholic laity would thus be put in possession of every privilege, even the privilege of sitting in that House, while the Roman Catholic clergy would be at liberty to reject any measure relating to their intercourse with the see of Rome. His right hon. friend had declared, on a former occasion, that things were in such a situation as rendered it impossible for them so to remain, and therefore something might be done. Now, it could not be denied that much had been done. And, with regard to granting the elective franchise originally, he would say, that it was a concession in contradiction to all sound policy. It should have been granted, either in a more full latitude, or else those who proposed it, should have stopped short. But it might be said, why not repeal it if it be so absurd? There were many things which, if once passed into a law, could not be repealed. Of this he had no doubt, that the concession in question would appear ere long to be fraught with the greatest danger, and that many gentlemen who now heard him would live to see the evils which he was predicting. To repeal the elective franchise granted to the Irish Catholics was impossible; that measure was in this respect similar to the Union, of which he at the time expressed his disapprobation, and with regard to which he had stated, that it was an experiment that if once made could never be undone, whatever might be its consequences. Since, therefore, what had been done, could not be recalled, it became the House to be the more careful and jealous in granting any further concessions of the same dangerous nature: "quod datum est, non volui; quod reliquum est, non dabo."

Mr. *Wilberforce* said, that it were true that the stopping short with the concession of the elective franchise to the Irish Catholics was a gross error in policy and a violation of justice, did it follow that the British parliament was to go no farther in future? No; there was the greatest danger in remaining in the present situation; while, in advancing farther, and pursuing the course recommended in this bill, there would be not only the greatest expediency, but the greatest security. Undoubtedly one of the discoveries reserved for late times, and to be made by those who were little respected for their worldly wisdom, was, that persecution for religious opinions was not only one of the wickedest, but one of the most foolish things in the world. It had been said by an author who was more to be admired for the extent of his erudition and the brilliance of his style than for the candour of his sentiments, that if you could extirpate all new opinions by opposing them, there might be some sense in persecution; but that if it only tended to show your own weakness, it was the height of folly. The treatment which Ireland had experienced, was enough to wake every generous sympathy of the human mind. At the time when Ireland was called "the mother of the saints," and possessed more pure religion than any other country in Europe, she was made a prey to lawless oppression. At a subsequent period, when the liberties of this country were established by the glorious Revolution, she was still oppressed; and those who governed England acted the part of a step-mother to Ireland. During the reign of queen Anne, and up to that of George 3rd, she had been treated in the same manner. Could it therefore be matter of wonder, that she had struggled to shake off the yoke of her oppressors? At length we began to awake from our dream of delusion, and to be ashamed of our conduct. The Irish parliament, for a long period previous to its dissolution, had no independent voice of its own, but was directed in all things by the government of this country. As a proof of the indifference evinced to its purity and independence, he needed only state, that if any individual was too profligate to be provided for in this country, it had been the custom to send him over to Ireland. At length, the Irish parliament became incorporated with the British by the act of Union; and undoubtedly the claims of the Catholics ought to have been settled at that time. That Mr. Pitt, who brought about the Union, looked to that event as the most likely means of procuring the restoration of their rights, was well known. He recollected that that enlightened statesman, in speaking on this subject, had expressed himself to this effect—that inasmuch as the parliaments of England and Ireland were then incorporated into one, the rights of the Catholics might be granted with more safety, or refused with less danger. The hon. gentleman proceeded to declare that he did not know any thing more calculated to keep the people of Ireland in a state of insurrection than such a speech as that of his hon. friend. Parliament ought to provide for those circumstances in which they were likely to be placed, and to know that, sooner or later, whether safely or not, the Catholics must become the depositories of political power. Political privileges must always be granted to those who were possessed of a large proportion of the landed property of the kingdom. With regard also to an individual in the profession of the bar, who was the artificer of his own fortune, he must feel indignant at the prejudices which denied to him the chance of those professional honours which were open to others. His hon. friend had stated it to be his conviction that no Catholic would be satisfied with any concession short of a seat in parliament; and, what evil was to be apprehended from this concession in the fullest extent? If there was any Catholic who had bad feelings towards that House, he (Mr. W.) would the rather on that account bring him into the House, and thus give him an opportunity of correcting his errors. The Catholics had not known the constitution in its dignifying, enlarging, and liberalizing influence; but in that House they would be enlightened in the principles and practical influence of the British constitution. If they owed any servile obedience to the dictates of their spiritual pastors, in that House they would have an opportunity of removing such prejudices. They would thus come to learn the true dignity of their situation, and would no longer be the narrow-minded bigots which they had been represented to be. It should also be recollected, that the benefits of education, which was spreading over Ireland, would open and expand their minds, and make them look with horror on the system of coercion and exclusion to which they had been subjected. And when he saw Roman Catholics possessed of intelligence, rank, and property, and every thing that entitled them to political weight and power, he was not for withholding from them those privileges, the concession of which would tend materially to our own peace and security. The Roman Catholic religion had been professed by men whose characters reflected honour on mankind. He might instance Pascal and Fenelon; of the latter of whom, he would say, that he had been sent from Heaven to bless mankind by the mildness of his wisdom and the efficacy of his example. Parliament would be overlooking the interests of the country, if they continued restrictions that had necessarily a powerful effect in alienating the affections of the people. These disabilities were the relics of a long course of oppression; and to continue them was like making those on whom they were imposed wear the prison suit after they were set at large. Was it in the order of human events, that when a generous high-minded people were treated well, they should proceed to revolt and insurrection? If there was any feature more remarkable in the character of the people of this country than another, it was the willingness of every individual to submit his conduct to the law of the country. This was the peculiar characteristic of the people of this land. But when he regarded Ireland, the characteristic was directly the reverse—a natural impatience at the restraints of the law. From what could that difference spring, but their being denied the enjoyment of the British constitution? If their present claims were granted, they would be soothed, their dispositions dulcified, as it were, and the legislature would have the satisfaction of seeing a smile over the general countenance of the land. Therefore, notwithstanding all the caution with which he approached the question, he felt quite confident that the course now proposed was the true road to the security of the country. It would strengthen instead of weaken the religion and institutions of the country, and would restore to their just rights a brave and generous people, to whom we owed a debt of gratitude weightier than we could ever repay.

Mr. *Bathurst* said, that the question for the consideration of the House was, whether the claims of the Catholics could be granted without endangering the existing constitution. His hon. friend had said, that their refusal would almost justify the greatest discontent among the Catholics. He appeared, however, to have confounded their civil and religious rights, and to think that the continuance of the restrictions was an act of injustice. The Catholics of Ireland enjoyed the elective franchise; that could not, therefore, be ground for dissatisfaction. He was at a loss to see how it could be declared to be unjust, to prevent their admission to the high offices of the state, when it was recollected that that state was Protestant in its nature and substance. The Catholics formed a great proportion of the inhabitants of one part of the kingdom, but a very small portion of the entire population of the empire. It was reasonable, therefore, that the greatest jealousy should be exercised, when it was proposed to grant to that body an introduction to the senate, by which the established religion might be exposed to danger. Their civil rights were not neglected. Were not those interests as well protected by Protestant members as they could be by representatives chosen from the Catholic body? Surely they could not wish to provoke discussion upon religious subjects in an assembly purely Protestant, and upon which the sovereign himself could not interfere. It seemed admitted on all hands, that in granting these privileges there was a point at which we might stop. The right hon. mover had laid it down that the highest place in the law should not be within the reach of the Catholic. He therefore admitted that it was not a question of right, but of expediency. It was agreed that they should stop somewhere, and if there was danger of going too far, it was better to stop where they were. One consideration should be constantly kept in view, namely, that whatever was granted, could not be withdrawn. Let the House look at the changes that might be apprehended, if the present claims were granted. It was possible that the House might be filled with Catholics, that there might be a Catholic privy council, and that although an avowed Catholic sovereign could not sit upon the throne, still we might have one who was a Catholic in his heart. The evils that must attend such a state of things, he would not attempt to depict. They might be alarming, or they might not; but, whilst his hon. friend took into his view the favourable parts of the question, those of a contrary nature should not be lost sight of. And this became the more necessary, if, as the hon. gentleman had stated, the power and numbers and opulence of the Catholics were increasing. It would have been much better in his estimation, and more satisfactory to the House, if the two bills had been put into one, and argued at the same time. He concluded by moving as an amendment, "That the bill be read a second time this day six months."

Sir *James Mackintosh* said, that his motive in addressing the House was, to call their attention to a new crisis in the state of the country, to a change in the laws of the country as they affected Catholics, which had occurred within the last four years, and which, as it appeared to him, left the House no alternative between at once adopting the measure proposed to them, and rejecting, *in toto*, every fundamental principle upon which their ancestors had relied for constitutional government, and every common sense precaution which they had taken against the constantly recurring danger of a military despotism. By the act of the 57th of the late king, cap. 92, all previous oaths and declarations were abrogated as to commissions held in the army or navy; and the Annual Indemnity bill, which, as it had been regularly passed during upwards of a hundred years, might be taken to be part of the legislation of the country, placed Catholic subjects, with respect to the army, in the same situation with Protestant dissenters. In what a state did the country stand when it was remembered that the immense army and navy which it was compelled to maintain might be entirely officered by Catholics—by a set of men who at the same time stood excluded even from the lowest civil offices in the kingdom? The duke of Norfolk could not become a justice of the peace, but a Catholic adventurer might command a mighty army! Catholics were allowed to manage a military force for the security of those Houses of Parliament the doors of which they were for ever forbidden to enter! Was this the policy upon which the British constitution had been framed? No: the principle upon which our ancestors had endeavoured to secure themselves against the encroachment of an armed force had been by opening the doors of both Houses of Parliament to military officers, by combining, as far as possible, in their persons civil importance with military trust, and by giving to those who held the disposal of the army, an interest in maintaining the constitution of their country. He did not think that the course to which he had adverted, or that any system short of Utopian, could fully secure a country against the danger arising from the maintenance of an armed force; because he took an armed force to be a monster, in its nature perpetually hostile to free or even to civil government: but a system so dangerous as the present could scarcely be conceived—for it placed the whole disposable force of the kingdom in the hands of a sort of political outlaws, exasperated against the government which it was their business to maintain; and having every interest in the destruction, not only of the existing law, but of the liberties of their country. Such measures were ten times more absurd than those proposed by James 2nd, who, when he contemplated the officering his army with Catholics, intended to admit those Catholics to both Houses of Parliament. It had been frequently objected, that military officers should, under any circumstances, hold seats in that House; and he, in answer, had constantly declared that it would be madness to exclude them; that their professional knowledge was most valuable in the House; and that the true principle was for the House to draw into itself the great and powerful of every class of persons. His argument was at an end, if the House thought fit to oppose the bill before them; but he did contend, that the present condition of things was utterly inconsistent with the maxims of our ancestors, and with the principle and practice of every well-conducted state.—The right hon. gentleman opposite said that the constitution of England was essentially protestant. Now, that remarkable clause in the Bill of Rights which precluded the profession of popery by a sovereign had no application whatever to any other species of dissent from the church of England; there was no exclusion of Quaker, Anabaptist, or follower of any particular sect. The right hon. gentleman said, that the constitution was essentially Protestant —would it not be more true to say that it was essentially anti-popish? that it consisted essentially in a disavowal of popery, but that it was open to any of the thousand sects which had appeared in Europe since the Reformation? But the right hon. gentleman called the exclusion of the Catholics from the Houses of parliament the British constitution. Why, that exclusion arose out of the acts of Charles 2nd; and those acts, the acts of such a government, were to be held up as part of a constitution which had existed for centuries before the infamous statutes had existence. According to the right hon. gentleman the British constitution owed its excellence to Titus Oates. He must be permitted to have his doubts upon that point. The right hon. gentleman said, that it was not the policy of any state to give political power to men who were likely to be prompted to abolish existing institutions. Why, this was a principle upon which edicts of proscription and persecution might be raised against the Protestants in any and every country of Europe. According to this abstract principle, the right hon. gentleman might go to France and alter the religious regulations there: he might complain of the conduct of the congress of Vienna, which had enacted equality of religion in the Netherlands: he might attack Austria, Prussia, and Russia, all of whom, whatever the respective faults of their governments, admitted all sects and parties to political offices. Really, after all, the error of the right hon. gentleman was rather chronological than logical: he came only 200 years too late with his proposition. Such a principle might have done very well in a day when liberty and religious toleration were alike unknown, and when each sect fought for the liberty of oppressing every other. It was a little strange, however, that the right hon. gentleman, who in general cried up practice in opposition to theory, should all at once set up theoritical principles of his own in opposition to the practice of Europe during three centuries—two of those centuries having been passed in perpetual struggle to carry that principle into effect, and the other in a state of peace arising out of the total neglect of it. In such an assembly as that in which he stood it was necessary for him to vindicate the memory of Mr. Pitt, or he certainly should vindicate the act of 1793 from the attack which had been made upon it by the hon. member for Corfe-castle. The security of every religious establishment must depend, as it appeared to him, upon two causes; first, the attachment of the people, and next, the stability of the government. Now, the first of these causes was, in Ireland, out of the question: the churches of Scotland and of England might, perhaps, have such root in the affections of the people as should enable them to survive political convulsion; but in Ireland that was out of the question: the stability of the government then, was the only ground of reliance; the stability of government depended chiefly upon the union and the general satisfaction of the people: there could be little doubt that the measure proposed did tend to the union and to the satisfaction of the people; and therefore it was in truth likely to be a stay to the religious establishment of Ireland. If we wanted an example from history of the good effects of putting an end to the distractions arising from religious disqualifications, we might take it from that of Henry 4th of France. That excellent monarch, after a civil war which had disturbed the country for forty years, had shown himself truly the father of his people by issuing the memorable edict of Nantes. By that edict it was declared, that, in order to unite all classes of his subjects in affection to the state, every person of the reformed religion was eligible to hold public offices in France, notwithstanding any thing which had been decreed to the contrary. It was by this wise method that that good monarch had united the attachment of all parties in support of his government. It was contended, at that time, and such counsel was given to Henry 4th, that if that privilege were granted, the Protestants would not rest there, but would demand other privileges; but Henry wisely rejected such counsels, and declared, that the interest of the state ought to be made the interest of all parties in it. The right hon. gentleman, however, held a doctrine different from that of Henry 4th—a doctrine which served to continue those differences that divided the interests of the state. The right hon. gentleman, no doubt, would not wish that any great body should continue as slaves in the state: he would, no doubt, be unwilling that the Catholics should be in that situation: he would only exclude them from political power. Did he mean to say that such men as the duke of Norfolk ought to have no political power in the country? That he should not sit in that House to which so many of his ancestors had been ornaments and supporters? That the earl of Shrewsbury, the descendant of the hero of Agincourt, should not be placed beside the hero of Waterloo? that we should not unite our past glory with our present greatness? Yet, to such an extent would the opponents of this measure go. The hon. and learned gentleman, adverting to what had passed in the early part of the evening respecting the opinions of Dr. Milner, proceeded to contend that the Irish bishops ought in no manner to be identified with those opinions. The hon. member for Somersetshire had expressed his surprise that a person of the talent and character of his right hon. friend should have brought forward this bill. He would not say a word against those who opposed the measure: they might have their conscientious feelings, and no doubt they had; but, if he were to select any great question which had been remarkable for the rank, the character, the talent, and situation of those who had supported it, it would be, with perhaps the exception of the slave trade, that one which was now before the House. Never had there been such a preponderance of talent and intelligence, of rank and station, as had been exhibited in advocating this question. A continuation of the support of such men, from the first introduction of the first bill—from the days of Savile and Burke down to the present time—might, if the measure were erroneous, be looked upon as a miracle. It would at least be extraordinary. He did not wonder, then, that his right hon. friend had ranked himself with kindred spirits: his wonder would be if he had differed from all the great men of his age.

Mr. *Peel* said, that the hon. and learned gentleman had stated, that the exclusion of the Roman Catholics from places of civil trust and power, after having given them rank in the army and navy, was an anomaly unparalleled in the civilized world. Now, he thought, he could cite a parallel to such a case. The same arguments used by the hon. and learned gentleman had been used to William 3rd, on the subject of his exclusion of the Catholics from civil offices in the United Provinces, while at the same time they were eligible to fill the highest rank in the army. To those arguments William answered, that he admitted the anomaly, but that he thought it unfair to exclude them from offices in the army, in which they had so honourably fought; but that no danger could accrue to the state from thence so long as the government was in the hands of Protestants. But it was said, that by the concessions given in the act of 1817, grounds had been established for further claims. It was true, that parliament had granted those concessions, not foreseeing at the time that such grant would ever be made a ground for a charge of inconsistency in not granting more. He contended, that there was no such understanding at the time when Catholics were made eligible to offices of high rank in the army and navy: no such principle was recognised when that measure was first brought forward in 1807; and this was the understanding in which it was supported by lord Howick, now earl Grey. That noble lord then stated, that he trusted the limited measure proposed might be brought forward without the objections which were made to the general question; and that, considering what had been previously said on the subject by the chancellor and secretary for Ireland, we had a right to pass such a measure. Now, if the House had granted those privileges, as far as the army and navy were concerned, on grounds wholly different from those which were urged in support of the general question, was it fair to urge such concessions at the present moment as a reason why we should grant more? As to any argument founded on the opinions of the Irish bishops, he meant to take no unfair advantage of it; but if it were said that they were silent for seven years on this subject, he would observe, that the bill had not been printed seven days, and that, therefore, they could not have had time to declare their sentiments upon it.—With respect to what had been said of the principle of exclusion fixing a brand and stigma on the Catholics, he would repeat what he had formerly said, that there was a grand distinction between exclusion and punishment; and, though the principle of exclusion might be continued, it did not follow that we meant to disbelieve the oaths of the Catholics, or to fix a brand upon their brows. He would admit that political exclusion was in itself an evil—that it was an evil to be obliged to refuse the services of a great portion of the people, and to debar their access to power—and that it was not the mere possession of office, but the hope of possession, and the laudable ambition to which that hope gave rise, which were to be considered in the question of exclusion. Nor would he admit, because our ancestors had acted upon that principle, that it was less an evil; but what he would maintain was this, that it would be a greater evil to do away the exclusion than to continue it. He hoped he had stated this ground of argument fairly as it applied to the question before the House. He would not now go into the question as it applied particularly to England: he thought himself bound to consider rather its application to Ireland. In viewing the question as it applied to that country, the right hon. gentleman would not deny that an important and essential ingredient in it was, the maintenance and support of the Protestant church in that country. The right hon. gentleman had asked, what danger remained to the Protestant church in Ireland? and he had answered himself by stating, that all the danger which had existed would still remain if this bill were not carried; but that by the passing of this bill securities would be granted to the established church. Now, the security which he offered was, the conferring on the Catholic equal power with his fellow-subject. There were three sorts of power which it was intended to confer on the Roman Catholics: the first was, that which the common law annexed to the possession of property, and from which certain acts had hitherto debarred the Roman Catholics, but which by this bill were to be restored to them: this was, the power of voting at parish vestries, the power of voting for the repair and building of churches, the election of churchwardens, and the payment of subordinate officers. He would ask whether in a country where there were five Roman Catholics to one Protestant, this power ought to be given to them? Here, without imputing any opinions to Roman Catholics which they would themselves be ashamed to avow, he would ask, whether it was consistent with the safety of the established church to confer such a power? And upon whom was it to be conferred? Upon persons who had to provide also for the support of their own religious establishment. If this bill should pass into a law, the executive would be bound to carry it *bonâ fide* into effect. If, then, it was true that the Roman Catholics were great in point of numbers and in point of wealth, it followed that this bill would give them great power. The same reasoning applied to their admission into corporations and into parliament. Why exclude Roman Catholics from the office of ecclesiastical judge, and now for the first time; for that provision had not been introduced in any former bill? This showed that the feeling of jealousy on his part was not quite unaccountable—that his fears were not chimerical. Catholic members of that House would naturally be anxious to extend to the Catholic clergy the privileges which were now withheld from them; and he declared solemnly that he believed, if this measure were to pass into a law, that the regulations would not remain in force for five years. Irish members in that House had a distinct interest. He did not know if it was constitutional, but it was human nature to combine for the interest of the land of our birth. In questions affecting the Protestant church in Ireland, he did, therefore, expect combinations. He was aware that it was a choice of difficulties; but in his opinion the arguments for continuing the exclusion overbalanced the other arguments. If once agreed on the principle, he thought there could be no valid objection founded on the details. Yet he saw objections to affixing an interpretation to an oath, adverse to its plain and obvious meaning. Why, again, did they not relieve the Crown from the declaration against transubstantiation, if members of that House were to be relieved? Protestantism was so interwoven with the constitution, that it would meet them at every turn. Governors of colonies, for instance, would find it made penal to appoint to offices under them upon principles which were only consistent with their duty. What proof could they have of, who was a Roman Catholic, if this measure passed? Mr. Grattan's bill had left the declaration against transubstantiation which this bill removed. But, whatever decision the House might come to, he would give it his best acquiescence; and if the measure should be carried, he would use his earnest endeavours to reconcile the Protestants to it.

Mr. *Canning* said, that, often as it had fallen to him during the time that he had been a member of that House to take part in the discussion of that most important matter, which was this night the subject of their deliberation, he had never risen to discharge his duty under greater anxiety than he felt on the present occasion. That anxiety arose, in part, from the intense conviction which he felt of the great and growing expediency of the measure then proposed to the House. It arose in part also from the peculiar circumstances under which the determination of the House was then to be taken. Those circumstances did not consist in an augmentation of the difficulties by which the question had been surrounded —for difficulties had been, in some degree, removed, nor did they arise from an exaggeration of the objections which were opposed to the measure—for objections heretofore insisted upon, appeared to have been in some measure abated, neither did they consist in any irritation of the public mind—for never, on any former occasion, had the public mind been in such a state—he would not say with his right hon. friend (Mr. Peel)—of apathy, but of complete resignation to the wisdom of parliament. They did not consist in any acerbity of temper with which the discussion had been carried on within the walls of that House; for eminently on that night, and also, as he had been informed, in the former stage of this discussion, had it been carried on with a candour, a temper, and a propriety, that did high honour to the right hon. and learned gentleman who had brought in the present measure, and to his right hon. friend, the member for Oxford, who had opposed it.

Having as warm a feeling of esteem for his right hon. friend as it was possible for one man to entertain for another —concurring with him upon most subjects of public policy as much as it was possible for one public man to concur with another—yet, differing with him as he did conscientiously upon the present question, of his right hon. friend he must say, that he had discharged a painful duty upon the present occasion, in a manner which reflected the highest credit on his public character and conduct, and which must afford him satisfaction in the retrospect, to the latest hour of his life.

In return, he (Mr. C.) hoped he might be allowed in the outset, to assure his right hon. friend, and the House, that he came to this debate in the same temper of mind as his right hon. friend, and to say, that if, in the warmth of argument, he should fall into any expression which might be supposed to convey disrespect to those from whose opinions he differed, he trusted he should be acquitted of any intention to give pain, and that for any such accidental intemperance, the interesting nature of the cause would plead his apology. It was from the very improvements in the position of the great question about to be decided, it was from the diminution of the difficulties with which it had been hitherto surrounded, from the abated tone of the objections with which it had been heretofore assailed, from the acquiescence without doors, and the calmness within, that, deriving unusual hope, he also derived a more than common share of anxiety. In proportion as those external causes which, on former occasions, had contributed to the ill-reception and defeat of this question, were removed, in proportion as it was left more freely to the operation of its own intrinsic merits, the responsibility for a favourable result appeared to weigh more heavily upon its advocates. And when, in addition to the facilities which he had already enumerated, he considered the advantage of an unpledged parliament, and the auspiciousness of a new reign, he could not help avowing, that if in a state of things so highly encouraging, the issue of this night's discussion should prove—as he trusted it would not prove—unfavourable, he should almost be led to despair of final success.

Under these circumstances, it was rather the magnitude of the issue than the difficulty of the argument which filled him with apprehension, and occasioned him to approach the question that night, with a trepidation such as he had never before experienced.

What, then, was the question which they were called upon to decide? It was whether they should allow the laws that affected the Roman Catholics to remain in their present state;—or should reform them by further mitigations;—or should restore them to that standard from which, during the whole of the late reign, parliament had been employed in gradually bringing them down? It was idle to say that this division of the subject was invidious. It was impossible to look to the laws as they at present stood, without adverting to the origin of those laws, and to the state in which they had stood when in their mature and undiminished vigour, in order to obtain a complete view of their moral operation and effect. It was most true, as had been stated by his honourable friend the member for Bramber (Mr. Wilberforce), in his delightful speech a few hours ago, that it was not merely the existing state of those laws, nor the temper in which they were now administered that was to be considered, when you were about to determine upon their continuance or repeal;—the temper in which they were originally enacted—the accusations of which they were now the memorial—the imputations which, if true, warranted, more than any other, the efficacy with which they were formerly administered—must all form part of the consideration.

These laws, be it remembered, had never been stationary: for two centuries had they been growing; for half a century had they been in their decline. At the summit of the hill there was a plain of only twenty years; on one side was an ascent of two hundred years, and, on the other, a descent of about sixty. Was it possible to contemplate singly the point to which sixty years of gradual declension had brought them, without taking into view the point of cruel perfection from which they began to decline, and the degrees by which they had previously been raised to it?

Was it possible to consider the propriety and policy of what remains of the code, without reference to the cause in which it had originated; to the reasons or the pretexts by which it had been justified; to the effect, good or evil, to which it had operated while in force; to the recollections with which it was associated; to the severities which it had inflicted; and to the resentments which it had engendered; to the character of the times in which it had grown and flourished; and to that of those in which it was now proposed to abrogate it altogether?

And, first, as to its origin and causes: At what period in the history of this empire were the laws against the Roman Catholics justified otherwise than by the supposed political as well as spiritual connexion of the Roman Catholic with a foreign power?

The argument was now taken as if that connexion had been nothing else but spiritual: but that was not so; it had always been made ground of charge against the Roman Catholic, that he had also entertained a political predilection, or acknowledged the obligation of political obedience, towards a foreign power. That foreign power, in the earliest times of the Reformation, was the Pope; then formidable in temporal as well as in spiritual preponderance; and arrogating a supremacy over the temporal concerns of princes, which those who admitted, could be but imperfect in their allegiance to their lawful sovereigns. In later times, an exiled family,—exiled on account of political as well as religious bigotry,—became the rival of the reigning dynasty of England, and divided, or assumed to divide with it, the allegiance of British subjects. Concurring in the religion of the exiled family, the Roman Catholic subjects of the British Crown were held also to be devoted to their political claims. The Roman Catholic was presumed to be essentially a traitor; but as treason was naturally concealed as much as possible, while religion was more readily avowed, or ascertained the test of the suspected politics was sought in the professed creed. It was necessary to discover the Papist who was ready to restore the exiled family to the throne. It was devised to detect him by the oath of transubstantiation. Was his creed his guilt? No. But his creed designated the man, and his guilt consisted in his foreign attachment. Would any man pretend to assert that that attachment existed at present? No, it was gone; the object of his attachment was no more. But he who maintained the doctrine of transubstantiation was still to be made the subject of penal laws! This was to mistake a rule for a reason. It was as if a magistrate, having received information that a murder had been committed by a man who wore spectacles and a wig, and having apprehended an individual distinguished by those appendages, should, upon its being afterwards ascertained that no murder had been committed at all, still refuse to relinquish his man, persisting that the spectacles and wig were conclusive evidence of the murder. The Roman Catholic believing in transubstantiation, had been formerly the object of penal laws, because attached to an exiled family; that family no longer existing, he was now punished for believing in transubstantiation.

The earliest dawn of the Reformation, to which mankind, and this country above all, were indebted for so many invaluable blessings, would be found, like all great mutations in the affairs of the world, to have been tainted with many acts of violence, injustice, and mutual persecution. Out of that conflict, the Reformed Church of England had happily come triumphant, But, was it now to be assumed that criminality attached, not only to all who resisted, but to all who professed the creed of those who had resisted its establishment? No man would contend for so unjust a proposition.

He thanked God that the Church of England had come prosperously out of that arduous struggle; but he could not bring himself to say that those who had adhered to the old religion, as the mild Melancthon had advised his aged mother to adhere, rather than distract herself with controversy, were, on that account, fit objects of punishment. Restrict them if they connected their religion with politics hostile to the peace of their native country; but, happy as was the consummation which had rendered this a Protestant state, he could not consent to judge harshly of those who had opposed the change, when he considered under what circumstances, and by what instruments it had been brought about. Look to the character of the first royal promoter of Protestantism in England, and to the mixed motives by which he was actuated; and whether you attribute his conduct to policy or to passion, to avarice or to vanity; whether you agree with the historian who describes him as a tyrant, by whose arbitrary laws whoever was for the Pope was hanged, and whoever was against him was burned; or with the poet, who attributes his conversion to a softer passion—

"When love could teach a monarch to be wise,
"And gospel-light first dawn'd from Boleyn's eyes;"

in any case, surely it was not a substantive crime, and worthy an inheritable punishment, to have opposed an innovation, in which, whatever might be the governing motive, it was, at least, pretty clear that simple piety had no considerable share. The reign of queen Elizabeth was glorious both in its foreign and domestic policy; but it was, undoubtedly, not the reign either of civil or religious liberty. In that reign was laid the foundation of the penal code against the Catholics; but laid expressly on the ground of political disaffection, not of religious differences. Then, indeed, were papists excluded from the House of Commons: but they were expressly allowed to continue to sit in the House of Lords. And why? because a popish lord was less a papist than a popish commoner? No:—but because, of the fidelity—the political fidelity of her peers, the queen said she had other means of assuring herself. During the reign of James 1st, the Roman Catholic was stripped of his privileges as a citizen, denuded of his rights as a social man, deprived of the common connexions of country, rendered liable to a *præmunire* if he stepped five miles from his own threshold, and to the penalties of treason if he so transgressed a second time; but was it necessary to remind the House of Fawkes's plot, as a proof that treason, not faith, was the cause and the object of these terrible enactments? Terrible, as those enactments were, it must be allowed that there was some justification for them, while the safety of the state, and the succession to the throne were threatened by the conflict of the hostile religions. But with the reign of James 1st, that apology seemed to end. In the reigns subsequent to that of James 1st, was there any thing in the conduct of the Roman Catholics to induce the belief that their religion was hostile to the security of the state? In the reign of Charles 1st, was it the old religion that overturned the monarchy? Did the Roman Catholics bring that monarch to the block? Was it a papist who struck the fatal blow?

It had been asserted indeed, in that debate that it was impossible for a Roman Catholic to enter into full enjoyment of political rights, without feeling it to be his bounden duty to employ them in an attempt to overturn the Protestant ecclesiastical establishments of the country, and it had even been said, that no harm was intended in imputing this doctrine to the Catholics—that it charged them with nothing which they who made the charge would be ashamed of doing, had it been their fortune to live under an adverse ecclesiastical establishment. Now, he thought this was taking an unfair advantage. Any man who chose to throw away his own character was master of that of another; and the hon. gentlemen thought that by thus impartially accusing themselves, they acquired the right of inculpating the Catholics. He was, therefore, obliged to vindicate his right honourable friend from his own admission, in order to protect the Catholic from the inference deduced from it. He entirely disbelieved his right hon. friend's self-accusation; he was sure that if the lot of his right hon. friend had been cast in another country, of which the established religion was different from his own—and if he had there been allowed nevertheless to take his seat in the senate, and to exhibit himself, as he did at present, to the admiration of all who heard him,—he was sure that no suggestion of priestcraft, that no motive of conscience would ever lead him to attempt the overturn of the establishment of that country which had placed him in so distinguished a situation.

But in what manner did the history of England bear out the theory of his right hon. friend? What, as he had already observed, was the conduct of the Catholics of England throughout the trying struggle of the reign of Charles 1st? A continual tenor of adherence to the government amidst domestic faction and civil war, and at the risk of their property and their lives. Had they no temptation to shrink from a faithful discharge of their duty? and yet in what instance had they failed?

He had said that Catholics, though excluded by law from the House of Commons, still retained their seats in the House of Peers. What was their conduct in that House? and how was it requited? In 1641, a bill was brought in to exclude the bishops from sitting in parliament. In the House of Lords it was lost upon a division, and in the majority were to be found many Catholic peers. Thirty years after, a bill was sent up to the Lords for the exclusion of Catholic peers from seats in parliament. It was passed by a great majority; and in that majority were included the Protestant bishops. He meant nothing disparaging to the bishops of that day. Undoubtedly, they thought that they were doing their duty. But he should like to know—supposing the Catholics to have voted for the expulsion of the bishops, as the bishops did for theirs — what would now have been said of the conduct of the Catholics? Would not the House have rung with the triumphant inference that now, as in 1641, the admission of the Catholics into parliament must be the destruction of the Protestant hierarchy? The only inference he would draw was, that as one good turn deserved another, the passing of this bill would afford to the bishops of the present day an opportunity of returning the obligation of 1641.

But some gentlemen had a still more ingenious theory. For two centuries it was urged, had the Catholics been brooding patiently over their wrongs, and, like the Brutus of history, disguising, under the appearance of insensibility, the deep sense which they entertained of them—they were only waiting for the passing of this bill to wreak the vengeance which had so long been smothered in their breasts. Indeed! And had this and former debates so far exhausted all reasonable objections, and all rational fears, that we were now to be daunted from doing what was right, by the apprehension that the present race of Catholics would throw off a mask worn by successive generations of their ancestors, and revenge themselves in the first delirium of new-gotten freedom, for ages of suppressed feeling, and hypocritical fidelity? Surely to believe in such a danger required a more than Roman Catholic credulity!

He had hitherto spoken of the Roman Catholic religion generally, and addressed himself to its operation in England. He now came to speak more particularly of that part of the united Kingdom which was more peculiarly interested in the present question—of Ireland.

During the earlier of the reigns which he had shortly reviewed, the Reformation, which, in England, had made such rapid strides, had not only mounted the throne, but almost monopolized the legislature, it had made no progress whatever in Ireland. And why? And whose the fault? No pains had been taken to advance it. On the contrary, to judge from facts, it was the policy of Elizabeth to keep it back. Neglect alone hardly furnished a sufficient solution of such total apathy in one kingdom, contrasted with so stirring and anxious an activity in the advancement of Protestantism in the other. But such was the fact. What wonder, then, that the rebellion in the time of Charles 1st assumed in Ireland a popish character, when the whole population were papists? What wonder if politics and religion were mixed up in a country where the Reformation never entered at all; and the reformed religion never, but in arms and as a conqueror? Such was its entry, first under Cromwell, and last under king William. The penal code against the Catholics of Ireland dated from the conquest of that kingdom by William 3rd. The popish parliament had enacted severe laws against Protestants; the Protestant parliament had retaliated most severely. No single individual would have dared to take upon himself the odium attendant on such retaliation. From that parliament emanated a series of laws such as had not previously existed in the records of legislation—laws the framers of which seemed to have taxed their imagination to find out the sore points of human nature to which they might apply them as corrosives—laws which counteracted all the feelings of nature destroyed all the comforts of families, so long as they existed; and exist they did, until the 14th year of the reign of George 3rd, all in full force and undiminished vigour. By them the conforming son could seize upon the property of the unconforming father; by them the unprincipled and heartless Protestant wife could array herself in the riches of her betrayed Catholic husband; by them the orphan heretic might be robbed by any anti-papist plunderer of his patrimony; through their operation there was no faith in kindred, no social intercourse of friendship, no security in any of the relations of domestic life. In 1774 came the first relaxation of this accursed system, the first breathing of a mighty thaw upon that accumulated mass of cold and chilling enactments, which till then had congealed and benumbed a nation. What was the first symptom of this genial spirit? It was a symptom sufficiently indicative of the degraded state to which the Catholic had been reduced, and of the difficulty which benevolent repentance found in breaking up the frost which so long had bound him. The first relaxation, that omen of returning spring, enabled the papist, notwithstanding his belief in transubstantiation, to rent—oh, mighty indulgence!—fifty acres of bog! This relaxation was found to succeed so well, the Protestant establishment continued so firm under the shock of it, that parliament allowed them afterwards to take a lease for 60 years. From that time the system was progressively mitigated, until the year 1792, which crowned and consummated the gift of civil liberty, and left only political concession imperfect,—imperfect in actual deed—but in principle acknowledged and anticipated.

When, in the year 1792, the elective franchise was conceded to the Catholics of Ireland, that acknowledgment and anticipation which he called upon the House that evening formally to ratifiy and realize was, in point of fact, irrevocably pronounced. To give the Catholic the elective franchise was to admit him to political power. To make him an elector, and at the same time render him incapable of being elected—was to attract to your side the lowest orders of the community at the same time that you repelled from it the highest orders of the gentry. This was not the surest or safest way to bind Ireland to the rest of the empire in ties of affection. What was there to prevent our union from being drawn more closely? Was there any moral, was there any physical obstacle? *Opposuit natura?* No such thing. We had already bridged the channel. Ireland now sat with us in the representative assembly of the empire; and when she was allowed to come there, why was she not also allowed to bring with her some of her Catholic children? For many years we had been erecting a mound, not to assist or improve, but to thwart nature. We had raised it high above the waters; and it had stood there frowning hostility, and effecting separation. In the course of time, however, chance and design, the necessities of man and the silent workings of nature, had conspired to break down this mighty structure,—till there remained of it only a narrow isthmus, standing

———————" Between two kindred seas,
" Which, mounting, view'd each other from
a far,
" And long'd to meet."———

What then shall be our conduct? Shall we attempt to repair the breaches, and fortify the ruins?—a hopeless and ungracious undertaking!—or shall we leave them to moulder away by time and accident?—a sure but distant, and thankless consummation! Or shall we not rather cut away at once the isthmus that remains, allow free course to the current which our artificial impediments have obstructed, and float upon the mingling waves the ark of our common constitution?

The right hon. gentleman then proceeded to reply to various detached objections which had been offered in the course of the debate by different speakers. Some gentlemen were afraid, that when the final concessions were granted, those persons who had stood by the constitution when they only enjoyed its benefits partially, would rise up against it, after being admitted to the full participation of its blessings. This was not likely. As yet the constitution was to them negative and repulsive. Then, it would be positive and full of advantage. We had frequently been assailed by the prayers of the Roman Catholics, but we had as often treated them with scorn, professing at the same time to do it for their own good. Indeed, he thought that the Catholics might address us in pretty much the same language as a certain lover had addressed his mistress—

" When late I attempted your pity to move,
Oh; why were you deaf to my prayers?
Perhaps it was right to dissemble your love
But why did you kick me down stairs?"

Others apprehended that they would still be discontented because *all* offices could not be opened to them indiscriminately—not those, for instance, which had, by the nature, of their functions any connexion with ecclesiastical interests. Surely the distinction was plain enough. With the established religion of the country the Roman Catholics would of course have nothing to do. This must be a first and fundamental principle, both of all that was yielded and all that was retained. None but those who professed the established religion of the state could pretend to the exercise of any functions immediately connected with that religion, or with the ecclesiastical system in which it was embodied. They had already provided liberally for diffusing the benefits of education in Ireland; and God forbid that any sect of Christians should, on account of their faith, be deprived of the means of obtaining knowledge; but God forbid, he would also say at the same time, that the means of education should not, wherever it was possible, be conferred under the auspices of our national church! The provisions of the bill excluded Roman Catholics from the universities, and from the spiritual courts. He could perceive no difficulty, no injustice, in carrying those provisions into effect, and in considering them as conditions of this final adjustment. This exclusion must undoubtedly be a perpetual, indispensable article of the new compact, which, he trusted, they were on the point of ratifying. He relied for the observance of that article on the nature of the thing itself, as well as on the millions of hands and hearts which were ready to defend it in case of an attempt to abrogate or repeal it. Such an apprehension therefore could afford no legitimate ground for refusing to share with our fellow-subjects the blessings which we enjoyed. Nor could he join in the opinion that the passing of this bill would divorce the union of the national church and state. He could not think that the Crown would be desecrated and the monarchy rendered unholy, any more than insecure; when every Christian creed should be admitted to the franchises of the constitution, and when thanksgivings for a community of benefits were breathed alike in every diversity of Christian prayer.

He next adverted to the fears which had been expressed of a combination of Roman Catholic members of parliament to carry points favourable to their separate interests and persuasion. First the number of members that would be returned from Ireland—how infinitely small would it be in comparison with the whole representation? But let them for a moment suppose the case of any considerable number of these much-dreaded Catholics possessing seats in that House—what was it that they could combine to accomplish or to repeal? What objects could they have in view? They must necessarily be objects of private or local interest; for with regard to political designs—with regard to all that appertained to the advancement of their faith or spiritual interests—suspicion was alive, and the attempt must be defeated as soon as it was made. Such a combination, if directed to general purposes, must be as notorious as the sun at noon, and must be defeated as soon as known. Others again, dreaded not the operation of numbers, but the danger to arise from the return of demagogues to parliament. He should only answer that in parliament he wished to see them. He had never known a demagogue who, when elected to a seat in that House, did not in the course of six months shrink to his proper dimensions. In the event of a parliamentary reform, it would be his wish to see a little nest of boroughs reserved for their separate use, and he should not be alarmed at their introduction, even although they had been qualified in palace-yard. "Here," he would say, "let the demagogue appear; and let him do his worst."

To return, however, to the main question. He was aware that he had exercised too long the patience of the House: he felt the importance of the subject most deeply: he was convinced that this bill, or (as he did not mean to affirm that it was perfect of its kind,) a bill of this nature was necessary, and was most expedient at the present season. The moment was peculiarly favourable for discussion, and singularly free from any hazard with which the measure might otherwise be attended. We were now in the enjoyment of a peace achieved by the common efforts of both religions, by Catholic as well as Protestant arms, and cemented by Catholic as well as Protestant blood—a peace which, notwithstanding the threatening aspect of affairs in some quarters of Europe, he hoped and believed was destined to be permanent. But it became us, with a view to political contingencies, to fortify ourselves by adopting all those means of strength which were offered to our hands; and never did a more auspicious period occur for such a purpose. How beneficial to extinguish a question that never could be discussed without agitating large classes of the community! How desirable to avoid the inconvenience which must follow the loss of that question at this time—its revival from year to year with increasing and more hopeless agitation! How delightful to convert the murmur of national discontent into the voice of national gratitude! The expression of national gratitude was not always conveyed by the proud column or the triumphal arch; but let this grand effort of legislation be consummated, and he had not the shadow of a doubt, but that the sentiment would be effectually inspired and unequivocally displayed. It was indifferent to him, provided the result was concord, on which side the work of conciliation began. He cared not whether the boon was plucked from Protestant acknowledgment, by the patience, the long suffering, and the supplications of the Catholic; or was tendered in generous confidence, as a voluntary gift. It would, in either case, like "the gentle dew from Heaven," bless both the giver and the receiver—resembling those silent operations of nature which pervade and vivify the universe, receiving and repaying mutual benefits, whether they rose in the grateful exhalation, or descended in the fertilizing shower. To conclude, he conjured the House to adopt a measure, from which he entertained a conviction approaching to prescience, that far from having cause to repent of its result, they would long reap a rich harvest of national strength, and happiness, and renown.—[The right hon. gentleman sat down amidst fervent and general cheering.]

The question being put, "That the bill be now read a second time," the House divided:

Ayes	254
Noes	243
Majority	11

The bill was then read a second time; and at half after three in the morning, the House adjourned.

HOUSE OF COMMONS.

Monday, March 19.

Bank Cash Payments Bill.] The House having resolved itself into a committee on the Bank Cash Payments Acts,

The *Chancellor of the Exchequer* said, that, by the bill of 1819, the Bank of England were entitled, at their option, to issue gold coin on the 1st of May, 1822, and were bound to resume Cash Payments on the 1st of May 1823. Now, the object of his motion was, that this optional power, instead of remaining over until May, 1822, should be brought into practical operation, if the Bank directors thought fit, on the 1st of May, 1821; leaving, of course, both the proportion and mode of issuing the cash payments at that time entirely to themselves. He looked upon the measure which he now proposed as affording a more easy and gradual preparation for the final resumption of cash payments. But it was not intended by that measure, to restrict the Bank of England as to the circulation of a single pound note—that was to be left to the sole discretion of the Bank. The right hon. gentleman next observed, that by the drain which was made by the Bank on other countries for the precious metals, in order to enable the country to resume cash payments, an effect was produced unfavourable to commerce; because that drain rendered the circulation of other countries more restricted. Instead of the productions of foreign countries, large quantities of Bullion had been lately imported as so much merchandize in exchange for our produce. It would be seen, by the accounts on the table, that the Bank had carried into execution the suggestions made by the committees of both Houses in 1819. In June, 1819, the issues of the Bank amounted to 25,600,000*l*. In the half year ensuing, it was reduced to 24,700,000*l*. In June following, it was reduced to 24,000,000*l*. Thus it appeared, that the Bank had in one year withdrawn nearly two millions from circulation. The circulation at present was far from being abundant; it might, indeed, be true that the circulation of country paper had diminished in a greater proportion than the circulation of the Bank. As the law stood, the 1st of May 1822, was the earliest time at which the Bank were to be called upon to commence the gradual payment of their notes in specie. But their accumulation of treasure had become so rapid, that it was advisable they should be permitted to pay in cash, if they pleased, on the 1st of May of the present year. There was another circumstance which justified the anticipation of the period when the Bank was to resume cash payments. He alluded to the arrangements which had been carrying on by the commission appointed to inquire into the best means of preventing forgeries. If the result of that inquiry had been more satisfactory, it perhaps would be doubtful whether they should alter the plan so specifically laid down in 1819. But, from the proceedings under the commission, he was painfully obliged to infer that the persons engaged in conducting it, had no reason to expect their measures were about to terminate in an immediate favourable result. He was, however, not without a hope that they would eventually succeed in producing a note capable of defying the imitation of the forger. The speady and progressive substitution of the coin of the realm for Bank notes must necessarily diminish the crime of forgery. His present proposition did not interfere with the circulation of the Bank of England any further than by giving the directors the power to do in May, 1821, that which they were, as the law stood, bound to do in 1822. While he was upon this subject he might be permitted to touch on the repayment of the debt of ten millions due by government to the Bank. The instalments had been hitherto regularly paid, nay, even anticipated; and he hoped, by the 5th of April, the last instalment would be paid. Something had occurred on a former occasion from which it might be inferred that he ought to explain whether he contemplated any measure for making silver a legal tender. A diversity of opinion, he knew, prevailed upon this question; and many thought that the advantages to be derived from it were not sufficient to induce a departure from the system already laid down for the coinage of the country. Although he could not say he entirely concurred in this opinion, yet he was ready to avow that he did not contemplate at present any alteration in the legal tender so long acted upon. It only remained for him to state, that he meant to follow up the new regulations for the Bank of England, with a similar alteration for the Bank of Ireland. The right hon. gentleman then moved, that the chairman have leave to bring in a bill for making further provision for the gradual resumption of payments in cash by the Bank of England?

Mr. *Baring* said, that as far as the limited measure now proposed went, he had no objection to it; for if the House were still persuaded that the steps taken for a return to the ancient standard were right, it undoubtedly would be prudent to give the Bank, in May next, instead of in 1822, the permission to pay in cash, instead of in bullion. But he thought it necessary to look at the general effects of the measures taken for the resumption of cash payments. It had now been seen that the paper currency had been brought back to the level of gold more rapidly than had been generally deemed possible —not more rapidly than he had thought possible, because he had always thought that the value of the Bank notes was in the hands of the Bank; and he had always thought gradual scales of payments of little importance. The right hon. gentleman had said, that the putting out of gold by the Bank of England would operate as a relief to the general circulation of the world. This would have been an important effect if it could be so produced; but he held it to be a mistake; for, just to the extent that gold was put forth by the Bank, they must withdraw paper; so that nothing would be diminished of the general mass of circulation. It was also remarked that the withdrawing in part, of the 1*l.* and 2*l.* notes would lessen forgery. This also he considered to be a mistake; for so long as these notes continued, whether they formed one-half or two-thirds of the circulation, facilities and temptations to forgery would still exist. But it was not with the details of the measure he (Mr. Baring) meant to cavil. He wished the principle upon which these details rested to be reconsidered. No man doubted that it was most desirable to return with as little delay as possible to cash payments. It was equally agreed, that a country could not encounter a greater misfortune than a constant variation of the principle which regulated its currency. If he did not therefore feel the subject to be one of the gravest nature, he would not now call upon the committee to reconsider the principle upon which parliament had been hitherto acting. He also begged to state, that all he wanted was the reconsideration of this principle: for if, when they reconsidered it, together with the proposition which he should have to submit, they should still persist in the principle now laid down, he should not disturb the practical execution of their plan, but leave it to try its effect upon the general business of the country. In looking at this important question, he thought it very material to consider what was the real cause of the present situation of the country in the sixth year of peace. Petitions came from all quarters, remonstrating against the state of suffering in which so many classes were unhappily involved, and none more than the agricultural class. When such a state of the country was manifest in the sixth year of peace, and when all the idle stories about over production and under consumption, and such like trash, had been swept away, it was natural to inquire into the state of a country, placed in a situation without a parallel in any other nation or time. No country before presented the continuance of so extraordinary a principle as that of living under a progressive increase of the value of money, and a depression of the productions of the people. It was, indeed, matter of some pride to Englishmen that no other country had ever before attempted to mount the up-hill work of returning from an unsound to a sound state of currency. It was quite clear that, in a long and extravagant war, the country, instead of spending its income, had been spending its capital. All had been squandered away; and if they would consider the effect which such a system must produce if pursued in any country town where they chanced to live, they might form a correct idea of its operation on the country at large. If they had got up to the top of the hill, that would be a good reason for not entering into any further inquiry; but he could not by any means admit that they had arrived at such a situation. It appeared to him that, by the operation of the altered currency, they had loaded themselves not only with an immense public debt, but also with an increased debt between individual and individual; which debt had been greatly varied—the weight of which continued to press on the country—and to the continuance of which pressure he could not, at present, perceive any end. He would ask, what had been the depreciation? and he did so, because this was a question on which gentlemen differed most materially. He would say a word or two on the subject, because his sentiments with respect to it were at variance with those of his hon. friend the member for Portarlington. Now, he (Mr. B.) thought the estimate of the depreciation had been very much under-valued. The depreciation had, in his opinion, gone very much beyond what it had been estimated at. This was a mistake which gentlemen had made all a long in settling this subject. They thought the great difficulty was, to get into a course of paying in specie; in which for his own part, he saw no difficulty at all. The whole anxiety of those individuals pointed to the necessity of introducing a metallic instead of a paper currency, and to the difficulties which must be encountered in effecting that object; which difficulties, however, he repeated, had never been seen by him. The real difficulty was, to meet the increased amount of debt of every sort—to meet the altered pressure of those burdens of every description which affected the country, which must be produced by the change. It was an observation, than which nothing could be more true, that an alteration in the value of currency was what nobody, not even the wisest, generally perceived. Individuals talked of alterations in the price of bread and meat, and the different necessaries of life, always thinking that the standard by which those prices appeared to be regulated stood still; while on the contrary, it had been travelling to and fro, and the variations of price were not to be found in the articles themselves, but in the standard by which their value was estimated. The right hon. the chancellor of the exchequer, notwithstanding the resolution he had formerly prevailed on the House to sanction (and which, he hoped, would on some future day be expunged from their Journals), was now compelled to admit the truth of this doctrine. But he would call the attention of gentlemen more closely to the extent to which the depreciation had gone. When the committee formerly investigated this subject, they reported, that the difference between the mint and standard price of gold was only 6*l.* per cent.; and the argument founded on this statement was, that as the two prices were so near as 6*l.* per cent., a very little effort would enable them to arrive at an equality. But gentlemen were not aware at the time, that the increased value of money was going on, and that the different articles necessary for the support and convenience of life had not accommodated themselves even to the price at which they then stood. Therefore, to take the real depreciation at 4, 6, or 8 per cent., was, in truth, not to see the actual state of the thing. To what extent that depreciation really went it was impossible for any one to estimate exactly. In the first place, a great depreciation was occasioned in the value of gold and silver themselves, as applied to commodities: and that altered value of gold and silver, as applied to commodities, was to be added to the altered value as applied to paper, before they could come to the whole amount of the depreciation. They all must be aware of the alteration in the value of money, in consequence of the discovery of the American mines, and the effect which it necessarily had on the value of the circulating medium in Europe, during the last two or three centuries. The discovery of those mines had caused a diminution in the value of money; and that diminution was ultimately rendered still greater by the formation of our Bank. This latter circumstance had not, however, any very extended operation until the close of the American war. It was afterwards greatly increased by the establishment of country banks—a system which was not adopted on a very extensive scale, until the end of the late war. But, in addition to the diminution which had been effected by a sound paper currency, came a much greater one, occasioned by an issue of paper which was not redeemable at all; because, by adopting that paper system, they turned all the gold out of the country, and added it to the mass of precious metals on the continent. By this means they increased the original diminution in the value of money, in the same manner as if the whole of that gold so sent away had come from South America, and had never been in circulation in this country. Those who were acquainted with the subject, and who attended the Bank committee, must know, that this depreciation of the value of money was not only induced by the issue of paper, but was greatly increased by the facilities afforded to credit; for it was clear that when they could make one million do the service of two it operated, in the depreciation of the currency, to the extent of one. Not only was this effect produced by that economizing of paper to which he had just adverted, but it also arose from the ease by which paper under certain circumstance, could be obtained; because those who were acquinted with the proceedings of the country banks must know this that the farmer, on his making application to the bank in his neighbourhood, might have at his command 1,000*l.* or 10,000*l.* This sort of facility to obtain credit which the country banks gave, had tended very considerably to diminish the value of money. As there was no farmer that might not, if he pleased, mortgage his crops to those banks, that power, when exercised, operated on money itself, and the value of money was diminished in proportion as that system was resorted to. What he wished clearly to explain was, that the depreciation of money (arising, as it had done, from all these circumstances) was not to be measured by the mere difference between paper and gold; because, in fact, it went to a much greater extent. If they confined themselves to the difference between paper and gold, they would find that at different times it was extremely variable. He felt confident that he was correct when he said that the depreciation between paper and gold operated very variously at different times. Before the Bank committee, his hon. friend, the member for Ipswich had stated, that there was a depreciation of 36 per cent. in 1815. However, in following up this subject. The first operation of the restriction act produced very little effect on the price of gold, from 1797, until 1800: then it began to affect the price moderately, until 1805-6, when some considerable effect was produced. It was, however, affected less than it would otherwise have been; because gold itself being abundant, and not going quickly out of the country at the time, relieved a great deal of the effect which otherwise must have been produced. But the moment the gold was gone, then appeared the sensible effect of the depreciation between paper and gold. And, from 1806 till 1810 or 1811, the question was, which was the period of the greatest depreciation? But he contended that they were not to take the mischief done by this bill—if mischief had resulted from it—on returning to a regular standard with reference to the price of gold, at the time the bill passed; but they should take into consideration what was the extent of depreciation occasioned by their living for a great number of years under a restricted paper system. And to whatever conclusion an individual, or a body of individuals, came on this point, they were bound to look at the difference between the depreciation which they conceived to have been occasioned by the continuance of that system, and the standard of currency which they were about to restore. If they looked to the depreciation of money and of commodities, they would find that commodities, had been infinitely more affected than the precious metals. If two or three different articles appeared only to be so affected, then it would be fair to argue; that the general conclusion was not correct; but, if the operation could be seen on every commodity without exception, then it became evident that it arose from the depreciation of the currency; and if they took the average price of commodities at different times, they would arrive at the average effect of the paper system. He had undoubtedly found a singular coincidence in the general alteration of the price of commodities between a former period of peace and the present. Beginning with the price of wheat, which was, as near as possible, the price of the present day. This ran up, in subsequent years, to an average of 86 or 87*s.* to the year 1820. They altered the currency, and the average went back to the price from which they had originally started. It was the misfortune of the present system, that 56*s.*, which was considered a good remunerating price at the former period, was now utterly inadequate to support the farmer. What was the reason of this? It was occasioned by the altered currency, and by the produce of this country coming into contact with the commodities from all other parts of the world. Besides, the charges which the farmer had to maintain had not moved progressively with the altered value of the currency. His products did not bring their former price, while the private debts on his estate remained at their nominal value as originally contracted. Besides, the great mortgage which swept over the whole—he meant the national debt—was of such an oppressive nature, that the charges and burthens which grew out of it rendered it impossible for the farmer to live on the prices which at a former period were considered a fair remuneration. The difficulty, then, of the country was this—

they could bring back their currency for certain purposes, they could bring it back as far as respected their income, but still they remained in the situation of having a depreciated currency, with reference to their expenditure. The effects of the rise of the value of the currency had been most ably and prophetically described by Dr. Coplestone, who thought, however, that all these inconveniences should be endured for the sake of the object. His words were remarkable—stating what would follow the return to cash payments, he said—" The prices of all commodities will in that case fall, and bargains will, with respect to one of the parties, be depreciated, but not with respect to the other. All contracts will be detrimental to the person who has to pay, but beneficial to him who has to receive. Goods will be sold for less than they cost, and will become more valuable. Trade will be cramped; the revenue abridged; more than all, agriculture will be checked, and the demand for country labour will in consequence be greatly contracted." In such a state of things, how could it be recommended that a greater alteration should be made in the currency than good faith required? What faith required should be done; but nothing should be yielded to the mere coxcombry of desiring a purer standard. If the country had had no debt, and the committee had merely sat as umpires to say what should have been done between debtors and creditors, he should have not hesitated to have sanctioned a departure from the old standard. He should have taken the pound sterling at 15 or 16 shillings. But now the question of public faith intervened. It could not be doubted that the public creditor, and all to whom money was due, had been benefited to the extent of the change in the value of money. It might be said, that during the depreciation they had been injured to the same extent. He did not say that an argument might not be raised on the subject; but the creditor received more than the debtor could afford. The effect was, that the industrious were obliged to labour under difficulties, that the drones might live in the greater affluence. He used the term drone merely to describe the operation of the system, not to convey the idea that justice should not be done. Of the two operations of raising and lowering the value of the currency, the latter was certainly better than the opposite, because the lowering of the value of the currency was cheating the drones. The person who had any thing to sell, found the value of his goods increasing; the man who had to buy, found the value of his money diminishing. The operation (he was speaking of interest, not of honesty) was advantageous to the country.—The hon. member for Portarlington told them, that the change of the value of the currency immediately had its effect on all commodities. But the effect could not penetrate into all parts of the country, or change habitual expenses. If he were going to York, and gave a post-boy 2*s.* 6*d.* who was accustomed to get 3*s.*, the man would think him a shabby fellow, in spite of his political economy. But there was one very formidable way in which this operated on the farmer as to the tithes. From the great liberality of the clergy of the church of England, probably not two-thirds of the value of the tithes were collected; but, having found that money was much less valuable during the late depreciation, they naturally raised their money payments; but having once set up these payments, it became a much more unpleasant and difficult thing to lower them; because the clergy received not more than was due to them, but much more, nearly the whole of the real value of the tithes than formerly.—If they found that the standard had been screwed up too high, it was advisable to re-consider the subject. The manner in which the value of the pound sterling could be settled with justice to debtor and creditor was, by considering its average value for a certain length of time,—say ten years; because the great bulk of contracts would be found to have been made within that time. He was not himself bold enough to recommend a departure from the standard; but he wished to impress upon the House his view of the state of the country, and to induce them to enter into such an inquiry, that whatever they did, they might do it with their eyes open. He meant to propose the appointment of a committee above stairs, to consider this subject; and he should, before he sat down, state the objects which urged him to make that proposition. It was desirable, in his judgment, either to leave matters as they were, or to fix upon some permanent system. For the evils belonging to the present system, or which were apprehended from the enforcement of the act of the 59th of the late king, he had two remedies to propose. The first was to render permanent the plan of paying Bank-notes in bullion, or to continue what he hoped he might, without disrespect, call the Ricardo system; for, in his opinion, the permanent establishment of that plan was peculiarly calculated to relieve the tension which was at present felt in the currency of the country. He was glad, indeed, to hear from the chancellor of the exchequer, that his main objection to the permanency of this system, arose from an apprehension of the continuance and multiplication of forgeries. But he could not concur with those who thought that it was matter of so much difficulty to guard against those forgeries, the existence of which formed no argument against the adoption of a measure of which he never heard any practical man disapprove. The permanent establishment of this system would, indeeed, serve for the perfect preservation of the standard of value; for, estimating the currency of the country at about twenty-five millions of notes, if bullion were only to be paid to those who held 100*l.* or 200*l.* in notes, it would, it was generally admitted, be sufficient for the Bank to be provided with three millions of bullion to supply any probable balance between Bank paper and that article. But at the utmost, he conceived that from four to five millions of bullion would be amply sufficient for that purpose. The advantage of this system would be, to give facilities to the Bank; and it was to be recollected, that any facilities given to the Bank were facilities given to the country, whose wants it was the duty of the Bank to consult, and whose accommodation it was the duty of the Bank to promote; for through the establishment of this system the Bank would never be exposed to those sudden demands, or to have what was termed a "run upon it," to which it must be liable, if called upon, to pay in coin. This was a very material consideration, he begged gentlemen to think, in the present state of the public mind, especially from the recollection of what had happened within some years back. From the increased suspicion, indeed, which the occurrences of those years were calculated to excite, as well as from the increased mass of circulating medium occasioned by above 800 millions of debt, it was obviously necessary to guard the Bank against the inconvenience that must result from enabling the holders of one and five pound notes or other small sums, many of whom were most likely to be susceptible of panic, to apply for payment in coin. For persons holding such notes would, in the event of any new war, or sudden panic, be but too likely to press upon the Bank for cash, either for the purpose of immediately taking it to the market, or for the purpose of hoarding. But if the Ricardo system were rendered permanent, one of these motives for a run upon the Bank would be taken away, as bullion could only be resorted to for the purpose of hoarding. With this system, then, he repeated, that at the utmost four or five millions in bullion would be sufficient to meet any probable demand upon the Bank, and to guard against any public inconvenience. The establishment of this system would, indeed, obviate the necessity of any coinage, and consequently prevent the expense which such coinage created, while it would also save the country from the loss occasioned by the wear and tear of coin, which loss was notoriously material, after coin had circulated for 20 or 30 years. But, to encourage the adoption of this system, the House had the example of Hamburgh, where it had long prevailed, and where, through its existence, the genuine standard of value had been preserved in its utmost purity. In Hamburgh, too, that system was found perfectly applicable to every purpose of commercial convenience. But, as yet, he had heard no objection in that House to the permanent establishment of this plan, save that urged by the chancellor of the exchequer upon the subject of forgery. The commissioners appointed to devise some means of preventing the commission of that crime, appeared to have felt an overweening solicitude to discover something absolutely perfect—to have sought rather for the invention of an inimitable note, than for that of one which it would be most difficult to imitate. Hence, in his opinion, the failure of those commissioners. Hence, too, the question as to the prevention of forgery had not yet been fairly tried. It was impossible, indeed, to fabricate any thing more clumsy than the present Bank-note; and therefore it could not require much ingenuity to invent one more difficult of imitation. It was found that in other countries where a paper currency prevailed, no such forgeries were heard of as unhappily occurred in this country. He might be answered by a statement, that the same degree of ingenuity was not applied to the same purpose in those countries. But it so happened, that in America, for instance, the forgery of bank-notes was very rarely heard of, and in that country there were notes in circulation of very various descriptions. In France, too, there never was a forgery of the notes of the national bank, until the allies entered Paris. In consequence, however, of the panic created by their entrance into Paris, the plate of the Bank for fabricating notes was destroyed. But almost immediately afterwards an artist was employed to make another plate, for which he was to receive 1,000 guineas, and it was only within the interval from the destruction of one plate to the fabrication of another, that any forgery of the notes of the bank of France was ever known to have taken place.—Reverting to the observation of the chancellor of the exchequer as to the forgery of small Bank-notes, which was urged in objection to the permanency of the system which he (Mr. B.) recommended, he would ask, why some token, or any thing in the shape of metal, could not be substituted for our small notes if forgery were deemed so irremediable? For any substitute would be preferable to a promise to pay, when there was really no intention to perform that promise. Instead of such small notes then, he would propose some gold token for purposes of public convenience, as well as to guard against crimes. But he would be an advocate for any contrivance that might be devised to remove every obstacle to the establishment of a system materially calculated to answer the purposes of the country, whatever might be the contraction or the expansion of its currency. The second remedy which he had to propose was, the establishment of a double standard, namely, of gold and silver. This could be done, he would first say, without any violation whatever of good faith, that is, assuming the silver to be at the rate of *5s. 2d.* per ounce; for then it was equivalent to gold at the Mint price. He, in this instance, made no novel proposition; for by the act of 1774, silver was made a legal tender to the amount of *25l.* and for any sum above that it was made a legal tender by weight, according to an act of 1790. Up, then, to the year 1790, there could be no doubt of the existence of a double standard of value in the country. This, indeed, was the case until 1797, when, by an order in council, an alteration was made in the whole system of our currency. If it were argued that silver was likely to be cheaper than gold, he would maintain, that as the object was, to reduce the value of the pound sterling, or to establish the cheapest standard of value, the argument could not avail. But the fact was, that there was no likelihood of any material variation between the price of gold and and silver if both were established as standards of value. In France indeed, where the double standard had long existed, one per mill was the utmost variation that had, he understood, ever appeared between the price of gold and silver. But the ordinary operation of the money market would be a sufficient guarantee against any material variation between those two articles in this country, where it should be recollected, that the establishment of a perfect standard of value was not so much the *desideratum* as the creation of the means to regulate the price of the currency.—The hon. member, after recapitulating the objects which he had in view, in recommending a committee above stairs upon this subject, in which committee, if appointed, it would be competent to others to suggest any objections or measures which they might think proper, concluded with proposing that the chairman should be instructed to move the House, "That it is expedient to appoint a Select Committee, to consider the act of the 59th of the late king, chap. 49, with a view to alleviate the pressure which the due execution of that act is likely to produce upon the several branches of public industry."

Mr. *Ricardo* began by observing, that his hon. friend had set out with contending for the propriety of establishing two standards: whereas a great part of his argument had gone to put the gold standard out of the question altogether. He had truly said, that in 1797, permission was given to the Bank of England, by act of parliament, to increase or diminish the amount of its circulation as it might think proper. Now, though he agreed that such a power could not have been lodged in hands less inclined to abuse that permission, he did consider it a power most dangerous to have been entrusted to any men, under any circumstances. It was undoubtedly true that the Bank had had it in its power to have kept the currency at a standard as if it had been composed entirely of gold and silver. He maintained that it had then the full power of doing so. The Bank of England, however, neglected that duty; and, in 1819, when the war had terminated, it became absolutely necessary that the House should adopt the steps it had adopted towards payment in bullion. The question with the House, then, was—"Shall we take the standard of our currency at its present depreciation? or shall we take it as it existed previously to the year 1797?" His noble friend, the member for Salisbury (lord Folkestone), had, with a great deal of good sense and judgment, proposed to fix the standard at the price at which gold then was. On that point he had differed from his noble friend, thinking that gold was not then sufficiently depreciated, had it been more depreciated, he should have preferred that plan to the adoption of a more variable standard. His hon. friend who had called him a theorist, seemed himself to have undergone a great change of sentiment. His own opinion always was, that there should be but one standard, and that that standard should be gold; because silver was liable to undergo such changes, that it might sink in value below gold, and thus occasion the greatest confusion; but his hon. friend had formerly contended, that the adoption of two standards would be attended with advantage. Now, however, his hon. friend advanced another idea, which, he confessed, did strike him with astonishment. His hon. friend seemed disposed to admit all the advantages of a fixed currency, and that gold should be adopted as the standard, but also thought, that the Bank should be allowed, at their option, to pay in silver, at *5s. 2d.* per oz. for ten years to come, still retaining gold as the sole standard, and then adjust the price of silver to the standard of gold. Now, suppose the silver to sink to *4s.* or to *3s. 6d.*, before the ten years had expired, at the end of that term it would be necessary, on the principle of his hon. friend, to raise it to *5s. 2d.* thus adjusting it every ten years. This would unquestionably be one of the most variable standards that could possibly be devised. His hon. friend had stated, that representations were sent from all parts of the country complaining of the prevalence of distress. This was unfortunately too true; but it was worthy of remark, that his hon. friend, who was no theorist, had nevertheless a theory respecting the cause of these distresses, by which he imputed them all to the state of the currency. Now, it appeared to him that they might with more truth be referred to a great many other causes. They might arise from an abundant harvest, from the vast importations from Ireland, which had not taken place formerly, and from the late improvements in agriculture, which, he apprehended, would be felt hereafter more severely. These causes his hon. friend entirely overlooked, and laid the whole blame on the alteration which had been made in the currency; while he (Mr. Ricardo) contended that this alteration could not be said to amount to more than 5 per cent. He admitted, that gold might have altered in value; that was an accident against which it was impossible to provide; but, supposing that silver had been adopted as a standard, would it not also have varied? His hon. friend contended, that if silver had been made the standard, it could never have fallen so much in value; but his hon. friend argued all along on the assumption that the whole difference between gold and silver was owing to the rise of gold. This, however, was not fair; for when a difference arose in the relative value of the two metals, he had just as good a right to say that silver had fallen, as his hon. friend had to say that gold had risen. The surest test was the rate of the foreign exchanges; and if his hon. friend looked at what a pound sterling was worth in 1816 in the silver coin of France, and what it was now worth, he would find it difficult to make out a variation of more than 10 per cent. He begged the House to recollect, that in 1817 wheat sold at 109*s.* and bullion was then at 3*l.* 18*s.* 6*d.* Would his hon. friend say, that that price was owing to the depreciation of the currency? and if not, was he calling on his hon. friend to concede too much, by admitting that the present price of grain might be owing to many other causes? His hon. friend had said, that a great deal of capital had been expended during the war. Now, he doubted whether this was a sound proposition: for, he believed that the savings of individuals during the war, would be found to have more than counteracted the profuse expenditure of the government, and that the capital of the country at the end of the war was greater than it was at the commencement of it. His hon. friend had asked, why we should have a purer standard than the rest of the world?—a question which might be very properly answered by asking, why we should not? If other countries chose to adopt an error, was that any reason why we should follow their example? The attempt to procure the best possible standard had been characterised by his hon. friend as a piece of coxcombry to which he attached no value; but, in a question of finance, if we could get a better system than our neighbours, we were surely justified in adopting it. He undoubtedly did wish for a better system, and it was for that reason that he wished to see one metal adopted as a standard of currency, and the system of two metals rejected. With respect to the adoption of a gold token, he thought it would be attended with great danger; if by a gold token was meant a token materially less in value than the gold coin which it represented. The necessary consequence of such a system would be, that the tokens would be imitated in foreign countries, and poured into this country in such quantities as would very speedily produce a depreciation of our currency, equivalent to the difference between the value of the sovereign and that of the token which represented the sovereign. If he could be induced to give his consent to the introduction of a gold token, it must be of such a value as nearly to equal the value of the sovereign. He would permit no more alloy in the token than what would be sufficient to cover the actual expense of coining the bullion into money. Such a plan would afford a sufficient security against the inroads of foreigners, and might be advantageously adopted.—It had been said, that if one metal were adopted for a standard of currency, it would be in the power of speculators to raise or lower the standard, and consequently place the Bank in an awkward predicament; but the power which the Bank had of regulating its issues, would always be sufficient to prevent any inconvenience of that kind. With respect to the suggestion of the right hon. gentleman opposite for diminishing the issues of Bank-notes as a security against forgery, he entirely concurred with his hon. friend that such a plan would be wholly ineffectual as a remedy against forgery. It was perfectly clear, that whether the issues consisted altogether of Bank-notes, or half in Bank-notes and half in sovereigns, the danger of forgery would be the same. The only effectual remedy against forgery would be, to hasten the period at which the Bank might commence payment in specie. He should be perfectly ready to abandon his own plan, if by so doing that most desirable object could be effected; and he was quite satisfied that the Bank was at this time in such a state of preparation, that in a very few months they might provide the best and only effectual security against the imitation of their notes, by returning to the system of currency which existed in this country previous to 1797. The right hon. gentleman had dwelt upon the tendency of his measure to prevent the accumulation of coin in the Bank; as if the coffers of the Bank were overflowing with coin. Now, the fact was, that the Bank had a great deal of bullion and very little coin. To propose a measure, therefore, for preventing the accumulation of coin in the hands of the Bank, was to provide against a danger, which was not at all likely to occur. With respect to the laws relating to usury, he should be extremely glad to see them repealed; and he thought no time more proper for the repeal of those laws than the present, when the rate of interest had actually sunk below 5 per cent. The rate of interest in the market had been invariably under 5 per cent since 1819. It would be a great advantage to the mercantile interests, that the Bank of England should discount the notes presented to them, not at one invariable rate of interest, but varying according to the alteration of the rate of interest in the market.

Mr. *Pearse* could not but not express his surprise, that after the measure of 1819 had received the sanction of parliament and the Bank was ready to discharge its duty towards the public, the very persons who promoted that measure, should now be the first to object to its operation.

Mr. *Peel* defended the principles on which the committee in 1819, which had advised the partial restoration of cash payments had acted. He contended that the plan of the hon. member could not be carried into practice, and that even the mode proposed by the hon. member for Portarlington would be preferable. The doctrine of the former member would by no means remedy the distresses which were at present complained of. With respect to the committee which sat in 1819, he maintained that they could have come, under all the circumstances, to no other conclusion than that which they had recommended to the House. It should be recollected that at that time they had an alternative of evils. In 1814 it was expected that the Bank would resume the issue of metallic currency; in 1815 it was looked for as likely to take place in 1816; and in 1816 it was thought that the resumption of cash payments would certainly be made in 1818. Now, in 1819, the question which came under consideration was, whether there should be any resumption of payments at all; and at that time the committee had to consider the alternative of not paying, and the evils, after all the expectations which had been raised, of that alternative. They had then fixed the standard price of gold at 80*s*. 3*d*., as the average of the three preceding years; but they did not mean to deny the inconvenience which would result from that or any other standard. The only inconvenience, however, which could be considered as resulting from it, was the difference between 80*s*. 3*d*. and 3*l*. 17*s*. 10½*d*. The delay of the committee in 1819 was complained of, and the same objection would apply still more forcibly against going into a committee at present.

Mr. *Cripps* denied that the probable resumption of cash payments had in any material degree induced the provincial bankers to lessen the extent of their discounts, or contributed to the distress under which the country was labouring. He contended, that the depression in the prices of commodities had produced the contraction which had naturally taken place in the circulation.

Mr. *Ellice* said, that nothing could be more correct than the whole statement made by his hon. friend (Mr. Baring) of the amount of our difficulties—and notwithstanding the arguments adduced by the right hon. gentleman (Mr. Peel) in favour of the expediency of the determination adopted by the committee in 1819, he still felt satisfied, that taking to the extent of debt contracted, the taxes imposed to pay the interest, and also all the enormous amount of private contracts and engagements, which had been affected by the restoration of the ancient standard, more injustice than justice had been done by that measure, and more burthen imposed on the means and productive industry of the country, than he yet saw the possibility of its being able to meet. The right hon. gentleman, and his hon. friend (Mr. Ricardo) had re-stated all their opinions of the exaggeration of these difficulties. They would admit that he (Mr. E.) had been also consistent from the first; and it was no trifling consolation to him, in his error, if he was guilty of error, that his hon. friend (Mr. Baring), who had formerly differed with him, in extent, at least, now confirmed from experience, the statements he had formerly made. He was convinced, as he had stated before during this session, that the committee had been led into error, as to the extent of the depreciation, by the apparent price of gold in this country during the preceding year—occasioned by an immense issue, for the purpose of what was called regulating the market and exchanges by the Bank, and if he could have brought his mind to the conclusion, that all the depreciation to be apprehended was between the then apparent price of 81*s*. per oz. and 77*s*. 10*d*. he would have concurred in opinion, that the difference was not sufficient to warrant a departure from the principles on which our currency had been previously regulated. That was, however, far from his conviction: on the contrary, and making allowance to the effect produced by the operations of the Bank—and the exportation of about 7 or 8 millions of gold coin in 1818 and 1819, he did not think the whole depreciation—for it had been going on gradually in many branches of industry although it had not affected others till more recently, before the report of the committee—could not be calculated at less than 30 per cent; and to that extent he conscientiously believed that a deterioration had been effected in the means of every debtor, whether public or private, and an aggravation, and increase of their respective engagements and contracts.—With respect to the measures now before the House, considering the die was cast by the bill of 1819, he was more disposed now to support the proposal of the chancellor of the exchequer, than that of his hon. friend (Mr. Baring) for the appointment of a committee, limiting, as he was bound to do, the objects of their inquiry to the specifics which had been suggested to their consideration. He had never seen so clearly as others had anticipated, and as they had been represented by the committee, all the advantages of what had been called the Ricardo system—at least, to the exclusion of a coin circulation; although he admitted the convenience and facility it afforded as a concurrent medium of circulation with coin, to the issue of paper; and in large transactions of business, where bullion was in many instances a preferable payment to coin; but still he was not so much attached to it, as to wish to see it entirely supersede a metallic currency—nor was he disposed to give up this principle, or to sacrifice that of the ancient standard, for the consideration of 3 or 4 per cent, an alleviation which was all his hon. friend calculated his plan would produce. We had proceeded too far in those principles to deviate from them now, for so trifling an advantage, even if that advantage was to be purchased (which he was afraid it was not, looking to all the circumstances of our situation), at no greater cost than their sacrifice—and which, after all could only be submitted to, on the establishment of a greater and more overwhelming necessity than had existed in 1819. If his hon. friend had come forward with a direct proposition to reduce the standard of our gold coin to its relative value with our silver currency,—which would have been a relief to the public of 11 or 14 per cent, and had defended his proposition on the ground of absolute necessity,—he might have been disposed to refer the case so fairly brought forward, to a committee; but then he doubted whether, if this tempting, but most serious consideration was ever gone into, even this depreciation would be sufficient to relieve all the distress and difficulty which had been brought upon the country, first and principally by the paper system, and then by their subsequent determination to restore the ancient standard. He wished he could concur with his hon. friend (Mr. Ricardo) in his opinion, that we had experienced the worst effects of those measures; but it was now almost impossible to reconsider or retrace our steps; and, in the choice of evils which surrounded us, possibly the worst would be, any new alteration in our currency—although he hoped not, others of a disgraceful and distressing nature might yet be forced upon us, but we were bound, at least to the extent of our ability to proceed now, and it was from this opinion that he supported the proposition of the chancellor of the exchequer in preference to that of his hon. friend. At least, in so doing he should adhere to principle; and some benefits of a most important description had already resulted from depression in prices, and would be essentially promoted by the circulation of money. The industrious classes in some branches, he meant the manufacturing labourers were now in a greater state of comparative comfort than they had been for the last three years, arising from the low price of provisions; and it was generally acknowledged that the prices of labour and food are very differently affected by alterations in our currency, a depreciation in the value of money having been invariably found to press with greater severity upon the labouring population, and an enhancement to produce a greater relative depression in the price of other commodities than in that of labour. He would not be tempted by what had passed in debate to extend these observations or to pursue the details of the proposed measure. The House would recollect he had before foretold its absolute necessity, in aid of the measures adopted in 1819, and that he had added a rider to the bill of the right hon. gentleman (Mr. Peel) on the same object, which the House then agreed to, but which was rejected by the superior wisdom and foresight of the Lords. It was quite clear at that time, under the apprehensions entertained and expressed by the Bank, and while they were not compelled to receive bullion at proportionate rates, to the gradual scale in the bill, that paper would soon become more valuable in the currency than gold, and this was proved by the price of gold having been raised to the mint price, almost before the bill had passed into a law, and certainly, he believed, before their lordships had rejected the clause he added to it. What, then, had been the absurd results of this restriction? In Ireland it clearly appeared, and not he was afraid from the best motives on the part of the Bank, the current coin of the realm had been at a depreciation of 3 or 4 per cent; and here individuals had actually taken their gold to the mint to be coined into sovereigns for payment to the Bank, who could not re-issue the money, if it had been demanded, without its passing through the crucible, to be converted into Ricardos. Foreseeing these results, he had suggested the alteration in the former bill, and being convinced of the expediency of restoring to the country gradually, a metallic circulation, of which we had been so long deprived, and which the peace enabled us to supply, as it has been determined to face all the other difficulties of these measures; he gave his cordial support to the bill proposed by the chancellor of the exchequer. His hon. friend had calculated, that under present circumstances 25 millions of coin would fill all the channels of circulation, if there was no limitation to the issue. It was generally understood the Bank were now in possession of 15 millions uselessly deposited in their vaults; and surely with all the frauds with which this measure was surrounded, we were never before in so fit a condition to commence the undertaking of restoring our currency to its former state, and to place it on a footing of equal security with that of other countries. In saying all this, he must again guard himself from being understood to underrate any of the difficulties, and possibly inseparable ones in the end, which the report of the committee in 1819, and the subsequent proceedings had involved the country. He certainly had concurred in all the principles then established, dreading the result of their application, although they had been so long neglected and absolutely denied, and if the country could, in the end, meet the situation in which a deviation from them had left her, or if even we should be obliged to have recourse to the most ruinous expedients to extricate ourselves from it; still he hoped our example and our sufferings would be a caution in all future times to avoid the time-serving and miserable policy to which we owe our present difficulties and dangers. He hoped his hon. friend would consent to withdraw his motion, as, although differing with him in opinion, he had such respect for his great and useful talents, and general knowledge, that he should regret being obliged to divide against him on this subject.

Mr. *Gurney* was of opinion, that it would be more advantageous to resort to the expedient proposed by the chancellor of the exchequer—or indeed almost any other, than return to all the hazard and insecurity of a paper currency.

Lord *Folkestone* thought that the danger did not consist in the mere existence of a paper currency, but in a paper currency not convertible into money. He had been of opinion formerly, and he saw no reason for changing that opinion, that it would have been wise in parliament to have altered the standard, before they determined on a return to cash payments. The misfortune was, that we were brought into such a situation by the system we had pursued, as to render it inevitable that great injustice must be done in either case; but the question was, in which case the greater injustice would be done? and he thought that a greater injustice would follow from a return to the established standard. If the standard was altered by a declared law, in an open, undisguised manner, it would not be an act of injustice as in the case where it was secretly done; but when they talked of breach of faith, he would ask, what greater breach of faith could there be, than the suspension of cash payments?

Mr. *Huskisson* protested against the doctrine of the noble lord, that to change the standard by law would have been no fraud. The noble lord seemed to forget the condition under which the public debt was contracted, namely, a return to cash payments in six months after peace.

Mr. *Baring* said, the introduction of a double standard could not be considered an innovation. It existed ever since the time of queen Elizabeth up to 1797. His great difference with his hon. friend was, as to the amount of depreciation. His hon. friend took it solely from the price of gold, without taking into consideration the state of the country.

The amendment was negatived, and the original resolution agreed to.

GRAMPOUND DISFRANCHISEMENT BILL.] Mr. Stuart Wortley moved the third reading of this bill.

Mr. *Sykes* observed, that if the bill affected the elections upon a more popular principle, he would have supported it. It was his wish to see the two seats transferred to Yorkshire, which would in that case send four members to parliament. As that, however, was not likely to be adopted, he should content himself with moving, as an amendment," that the bill be read a third time that day six months."

Lord *John Russell* hoped it would not be supposed, that in relinquishing the charge of the bill, he had departed from the line of conciliation he had prescribed to himself, or had been influenced by any disgust. On the first introduction of the bill, he had endeavoured to obtain the support of moderate reformers on whichever side of the House. At first he had proposed the elective franchise at Leeds to be exercised by those who paid scot and lot; then, conceiving that there might be some members indisposed to agree to so extensive a suffrage, he had proposed to confine it to housekeepers of *5l.* a year; and, seeing the House still indisposed to go to that extent, he had further restricted it to 10*l.* a year. After that, he was extremely sorry to find that an hon. gentleman thought it right to raise the qualification to 20*l.* a year. That, in his opinion, deprived the bill of its popular character. His original object was, to bring within the circle of the constitution a large mass of the unrepresented people, and induce them to think that they had representatives sitting in that House. So feeling, he could no longer take charge of the bill. At the same time, he was unwilling to lose the bill altogether, and should vote against the amendment.

Mr. *Hobhouse* said:—Although, Sir, I have hitherto given my support to this bill as it was introduced to the House by the noble lord, yet I do not consider it at all a necessary consequence, that I should continue to be favourable to a measure which has undergone so material an alteration since it has been abandoned by its original parent. One reason which induced me to favour this bill was, because it proceeded from a gentleman whom I thought sincere in his wishes for reform of parliament up to a certain extent; but the hon. gentleman who now patronises the bill, has not, that I know, ever been suspected of the least attachment to that great cause, and certainly he has contrived to give to his adopted child, features sufficiently indicative of its present parent —"*matre pulchra filia pulchrior.*" I trust that the manner in which the bill has been dealt with in this House, will be a lesson to the noble lord not to expect any thing like a beginning of a real reform of parliament from this House—from that noble lord the country expect better things—they expect something substantially corrective of the evil which lies at the root of all our misfortunes. I am sure the country will not be satisfied with this measure, even as it originally stood, much less in the shape it now assumes. Yet, Sir, I shall support this bill with all its imperfections, rather than appear to justify the charge made against the reformers, that they will accept no boon unless they can obtain the whole of their demand.—Sir, the course of the debates on this bill has led to some singular observations on the nature of popular elections, which I regret not to have been in my place to have answered at the time, since I am fully aware, that nothing has so bad an appearance in this House as that which the French call "*Sagesse après coup.*" I more particularly regret my absence, because I find that reference has been made to that respectable body of my fellow-countrymen whom I have the honour to represent; indeed, I find that an argument unfavourable to the extention of suffrage to householders was drawn from the conduct and character of the electors of Westminster, which were designated in terms that would have drawn from me an attempt at least to make an instant reply to such an intrepid attack.—Perhaps, however, it was as well that I was not present to hear the obloquy cast upon my own constituents; because, in the first place, that distinguished body found in the persons of my gallant friend, the member for Southwark, and of the member for Nottingham, supporters more able, though naturally not more attached to them, than myself. —There is another reason which induces me the less to regret my absence on that occasion, namely, that I might have been betrayed by the irritation of the moment into expressions not sufficiently guarded for the respect which I personally entertain for one of the gentlemen who assailed my Westminster friends, nor sufficiently indicative of the sovereign contempt with which I regard the more serious part of the charges heaped upon my constituents. I might have forgotten, that integrity, that virtue that, disinterestedness, naturally beget an inextinguishable hatred in the breasts of the venal, the profligate, and the base. I might have forgotten that the body of Englishmen who have the most distinguished themselves by their efforts to reform this House, were, of all Englishmen, the most likely to be exposed to the scorn and to the contumely of this House. I say, Sir, that I am glad that I have had a cooler moment and a more deliberate opportunity of speaking to the character of the electors of Westminster. A more independent, a more generous, a more enlightened, and, except in the choice of one of their representatives, a more discriminating body of men is not to be found in the whole world. As to their independence, the manner in which they conduct their election, speaks for them. Had the election petition against the return of one of the members been carried to a committee, that committee would have seen a rare and enviable sight in the production of every item, of every farthing spent during the whole of the contest for 15 days, in a city containing 15,000 votes.—There is an hon.

gentleman in the House, the member for Aberdeen, who can speak to that fact; and as to the insinuations respecting the payment of rate, or any other gratuity received by the electors, the charge is false and infamous, although it is no wonder that it should be made by those who are the patrons and propagators of corruption. This is not the first time that those who have no character themselves, have tried to establish the depravity of their fellow-countrymen.—As far as relates to the other complaint made against the electors of Westminster, namely, the avidity with which they swallow nonsense, I own that it is, perhaps, fair that the extreme contempt and scorn in which my constituents and I believe the great mass of the people, hold the greater part of what is said and done in the House of Commons should be occasionally repaid them by expressions similar to those used the other night by the hon. member for Taunton. If we cry out against the folly, the obstinacy, the perverseness of parliament, it is to be expected that hon. members should now and then accuse us of similar imperfections. Every thing has its own place; and those who should try the experiment of using a little House of Commons'-cant and common-place on a popular hustings, would find that sort of nonsense, at least, very unpalatable. It does, however, appear to me, that the great council of the nation runs the risk, from the perpetual encomiums which it hears of its own wisdom and of the folly of all beside, of being converted into a sort of Fools' Paradise, where the pleased and contented inhabitants, deaf to the groans, to the hisses, to the laughter of the rest of their species, fancy themselves in possession of all that can contribute to the dignity and to the happiness of man: indeed, those who have gone along with the rest of their fellow-countrymen, and have partaken with them in the advantages to be derived from the science and wisdom of the age, do, as it is, run no small chance of being surprised in coming into this House, and finding a place where the beams of truth have not penetrated, and where error and obstinacy seem to have placed their last footsteps.—Follies long forgotten elsewhere—fallacies obsolete—errors abandoned—these still find a resting place in parliament, and linger to the last moment, in those protecting precincts.—I wish the hon. member for Taunton were here, to receive the answer which I venture to make to his charge; but as he made that charge in my absence, perhaps the House will forgive me for not waiting until his arrival. The hon. member. Sir, said——

Mr. *Bankes* here called Mr. Hobhouse to order, for alluding to what passed on a former debate.

The *Speaker* said, that such allusion was certainly irregular.

Mr. *Hobhouse* continued:—I did think that the attack made on my constituents, in the absence of both their representatives, might have justified a slight departure from ordinary forms; and, even as it is, I assure the hon. member for Corfe Castle, that no interruption of his shall prevent me from taking the line of argument I meant to pursue. We will suppose, then, that the electors of Westminster may have been charged with liking most those who talk the most nonsense to them. Certainly, this is rather a severe imputation upon our worthy friends of the metropolis, but it would be one consolation to them under the imputation, that they are not the only electors in the kingdom who are caught by other allures—than common sense and common honesty. Sir, there is a town in Somersetshire called Taunton, and I have heard—perhaps incorrectly,—perhaps with no more foundation than the reports which have deceived hon. gentlemen with respect to Westminster—that at one of the late elections for that town, a Mr. Alexander Baring was introduced to the voters of that ancient borough at the tail of a procession which was ushered in by a huge mountain loaf, supported by four cupids, with suitable decorations. It is no wonder that a gentleman accustomed to recommend himself by such modes of persuasion, should have no very high opinion of the intellect of the electors of England; but I venture to warn him, that if he should ever become a candidate for Westminster, he would do well to try nonsense of a different sort. His loaf, and his cupids would be brought to a very bad market at a Covent-garden hustings. In addition to the charge made against the electors of Westminster, and the electors of populous places generally, I have heard that a grave attack was made upon those who recommend themselves to the voters of such places by "language such as they would not use in any company composed of gentlemen." Sir, these are hard words; and if the imputation be just, I must say, that the sooner we do away with popular elections altogether, the better; for surely if there be an occasion on which the English gentry are obliged to disgrace themselves for the sake of duping others, then, I say, let us take care that that occasion shall occur no more. But I do not think that the people are insulted by such base condescension. One thing at least I can aver, that such is not the case at Westminster. For my own part, I may, since this personal attack has been made upon Westminster, be perhaps permitted to say that I endeavoured to recommend myself to the electors of that great city by no other allure than the promise that I would when in parliament, exert myself to the utmost to obtain a thorough, a radical, reform of this House. I feel that I have continued to use the same language in parliament which I before used to the people; and the hon. member for Taunton is very much mistaken, if he imagines that I ever have had, or ever shall have, one way of talking to my constituents, and another way of talking to him and his brother members of this House. Sir, the longer I continue in this House, the more am I impressed with the necessity of restoring it to its original character, and of making it a control for the people, rather than a control upon the people. And I beg to take this opportunity of congratulating the House and the country, upon the prospect afforded by the declarations of those distinguished individuals of high station in society, who have lately confessed their convictions of the necessity of reform. In this trait the people will recognize their true friends, and will know to whom to turn in the hour of difficulty. It is time, indeed, for us to examine, whether or not that constitution which the gentlemen opposite are so eager to defend, be the real constitution of England, or whether it be not a system contrived for the present advantage only of a very insignificant part of the community. One sign there is by which I am led to think that the said constitution is not that which was the ancient favourite and glory of the people of England; and that is, that I find the potent friends of the noble lord opposite, the high allies, are most ready to recommend the English constitution to the discontented nations of the continent. They can see in our institutions, then, nothing incompatible with their own views—nothing incompatible with usurpation and despotism—nothing which prevents the will of the strong from becoming the law of the weak. No wonder that they are as ready to eulogize our matchless constitution as the hon. gentlemen opposite. Matchless, indeed, in rotten boroughs—matchless in sinecures—matchless in such ministers as the noble lord and his surrounding associates—matchless in the means and the practice of corruption. The system productive of such useful effects, may well be the delight of those who see in the constitution of the Cortes, a terrific monster, fatal to the pretensions and to the purposes of tyranny. But the favorite of Alexander, or of Francis, or of the noble lord opposite, may, to the eyes of the friends of freedom, have some few defects which it may be no sin to attempt to rectify; and I trust that as they now know where the evil lies, they will not hesitate to apply the cure to the affected part. I have before said, that I do not imagine the people will hail this bill as a token of our sincerity in combating corruption.—I repeat, that I shall give my vote for it, merely because it seems to recognize in principle the necessity of putting a stop to the corruptions of parliament.

After a short conversation, the amendment was negatived, and the Bill was then read a third time, when

Mr. *Tennyson* moved the omission from the preamble of certain words which stated, that on the disfranchisement of Grampound "the number of burgesses serving in parliament for England would become incomplete." It was, in his judgment, quite sufficient to state the expediency of excluding Grampound, and of substituting Leeds, without adopting an abstract proposition of so much constitutional importance with respect to which considerable difference of opinion must exist, and one which it was extremely inexpedient to trifle with in the preamble of a bill where it had no necessary place. From the earliest period to which parliamentary records extended, down to the time of Charles 2nd, the whole representation had fluctuated in consequence of the frequent discontinuance of boroughs, and of the power which the Crown had from time to time exercised of creating and restoring them; accordingly, the number of members in that House had continually varied. It would undoubtedly be inconsistent with that settled form of parliamentary government which had happily subsisted since the Revolution, for the Crown, of its own authority, now to attempt any change in the representation; but, although many were disposed to infer, that any variation in the number of members, even sanctioned by parliament, would, at this day, be inconsistent with the proportionate representation established for Scotland and Ireland at the periods of union with those kingdoms, others held opinions which conflicted with such an inference. He would not then discuss this matter, but should content himself with saying that parliament had never yet recognized any fixed and immutable number of representatives for England or for the whole united kingdom, or decided that one number was more complete than another. Neither would he argue the expediency or inexpediency of any such recognition; it was sufficient for his present object to urge that the question was one of great constitutional interest, and that if it were necessary or desirable to come to any determination on the subject, it was worthy of a solemn and substantive consideration upon its own merits, and ought not to be flippantly or gratuitously disposed of, as it would appear to be, if the words which he wished to expunge remained part of the bill. Either parliament had recognized the truth of the proposition contained in these words—or it had not. If it had, it was unnecessary and nugatory to re-assert it on this occasion;—if it had not, it was unfit that such recognition should be made in this oblique manner, and without that deliberation of which the subject was obviously deserving.

Mr. Horace Twiss and Mr. T. Courtenay opposed the motion. Lord John Russell and Mr. Robert Smith (of Lincoln) supported it; and Mr. Stuart Wortley said, that although he did not approve, he would not resist it. The motion was agreed to, and the amendment made accordingly.

The Bill was then passed.

HOUSE OF COMMONS.

Tuesday, March 20.

PETITION OF CAPTAIN ROMEO, COMPLAINING OF ILL-TREATMENT.] Mr. *Hume* rose to present a Petition from captain Romeo, a Neapolitan subject, now in this country. He stated, that in 1806, he had become a partizan of the British government, that he had assisted in a military capacity in Calabria, and that he had remained in the service of the British government until 1815. This gentleman had experienced great reverses. After his faithful services to the British in Calabria, he had been arrested by the French government, and sentenced by a military tribunal to be shot. Fortunately, he escaped to Sicily, when he was immediately employed in a Calabrese regiment, and again exerted himself with the greatest effect in the British service. He had seen letters and certificates and testimonials from almost every officer under whom captain Romeo had served, expressive of their decided approbation of his conduct. What he had to complain of was, that when in 1815, after the peace, this officer left Sicily for Naples, with a British passport, on his arrival at Naples he was arrested and thrown into prison, where he remained five or six months, and when he applied to sir W. A'Court, he was refused that protection to which he was justly entitled. He had no hesitation in saying, that sir W. A'Court had been exceedingly to blame; not only in this affair, but in having joined with the Neapolitan ministry to repress and crush the liberties of Naples, until that revolution had been brought about which such measures were so well calculated to occasion. Sir W. A'Court was in strict union with that ministry, which had done all in their power to overturn the good which the English government had attempted to accomplish, and which had persecuted every one who had served the English in that attempt. On captain Romeo's arrival in England in 1817, he made application to his majesty's government for the means of support. For nine months he received no answer. At last, by the interference (highly to his honour) of the duke of York, a pension of 50*l.* a year was settled on him. Such an allowance was, however, perfectly ridiculous, considered with reference to the service which he had performed. General Campbell had certified, that captain Romeo's personal losses in the British service amounted to 13,000 dollars. The petitioner, unable to obtain from government the protection which he sought for, applied to the Foreign office. He requested that, as the government would not grant him remuneration for the loss which he sustained in their service, at least they would give him a passport, to enable him to return to his native country. A gallant general now in the House applied for the passport, and it was promised. Captain Romeo also applied to commute the pension of 50*l.* a year for a certain sum: his proposition was acceded to, and he received 300*l.* in lieu of his pension. After receiving that sum, and when he was ready to set out for his native country, the promised passport was refused him. The noble lord opposite, in the interim, received some accounts from the Neapolitan government hostile to captain Romeo; from that government who had in fact persecuted him for the assistance which he had rendered to the English. The intimacy which was known to have existed between Sir W. A'Court and the minister of Naples induced sir William to make against captain Romeo an unfair and unfavourable report. It was quite clear that the British government should not have acted on that report, until at least they received the answer of captain Romeo. He repeated, that captain Romeo had done nothing that could militate against him, save his having assisted the British; he was so satisfied of the fact, that he was willing to give up his claim if the contrary were shown. By a memorial which that individual had presented, he requested to be made acquainted with the charges, if any, that were to be brought against him; no distinct charges were exhibited, and, indeed, so long as the year 1816, it appeared that captain Romeo was deported by order of the king of Naples. The passport of the British government was refused, but a French passport was offered in its stead; that passport would only enable captain Romeo to travel as far as Sicily, where, no doubt, he would have been refused a passport, and would thus be prevented from reaching Naples. The petitioner prayed the House to take into consideration the circumstances of his case, and that the House would grant him relief for the loss he had sustained in consequence of the services he had rendered to the British army. And farther, that the House would order that an English passport should be granted to the petitioner to enable him to return to his now regenerated country.

Lord *Castlereagh* said, that the present case did not properly belong to the department for which he was responsible. He understood, that in 1817, captain Romeo came to this country, and preferred a claim at lord Bathurst's office, for alleged services rendered to the British army. The sum which he had claimed, not for his services, but as the amount of his expenditure, was no less than 2,550*l.* lord Bathurst was surprised to find such a claim brought by a captain in the army, for services performed, and for money expended, so long ago as the year 1808 and 1809. They naturally asked, if this money was supplied for the British service, how it happened that the accounts were not duly returned to the head of the army at the time, and liquidated in due course. All that the British government could do under such circumstances was, to institute an inquiry into the particulars of the claim through their minister abroad. They had done so; and if he were called upon to enter into the particulars of the answer communicated by sir W. A'Court, he must say it was not creditable to captain Romeo. If pressed to do so, he must disclose the answer which had been received respecting this transaction. It did certainly appear a little extraordinary that a captain in a Calabrian corps should for nine years have been silent upon a claim to such an amount as this. Some of the items of the account presented by captain Romeo at lord Bathurst's office were rather extraordinary. One of them was a sum of 1,400*l.* in payments made to the mistress of the French general in chief to secure his confidence. The pay of a captain in the Calabrian corps was about 50 dollars a month; and next to the generosity of laying out such a sum to procure the good offices of a French general through his mistress, was the forbearance of not presenting the claim for nine years after it was represented to have been incurred. There were also charges for endeavouring to corrupt the then judges. He admitted that captain Romeo's certificates of military service amounted to a claim for such a pension as he had received, and which, by his desire, had been commuted for a sum of money at the usual rate. With respect to the alleged confiscation of the captain's property, the answer from Naples was, that he had sold that property before he had left the country. It was clearly and distinctly stated, that the reason for the steps taken against captain Romeo, had no connexion with, or reference to, any acts of his while connected with the British service, but for conduct after he returned from Sicily to Naples. The answers received upon all these inquiries were unfavourable to captain Romeo; and he was ready, if required, to submit sir W. A'Court's report to that House. The reason a British passport was refused the captain, was, because it was not customary to grant such to foreigners, except they were of the first consideration and distinction. A British passport was, in fact, given more as a letter of recommendation than a mere passport to travel. Lord Bathurst had offered captain Romeo a passage free of expense to Malta; and to enable him to obtain one from thence to Sicily; but this offer was declined.

Lord *W. Bentinck* said, that captain Romeo had performed considerable services to the British army, and that those services were of a nature to draw down upon him the dislike and revenge of the Neapolitan government. The noble lord opposite had said, that he had stipulated with the government of Naples, that persons who had distinguished themselves in the service of Great Britain, should not be punished or injured; and that the people of Sicily should not be deprived of the rights which they had enjoyed under the constitution which England gave to them, as well as the rights which they had previously possessed. But the British authorities had scarcely taken their departure from Sicily, when the king of Naples tore from the people, not only the new constitution, but deprived them of all their rights and privileges. Since he had left Sicily, he had had little communication with that country, but from something which had fallen from the noble lord the other night, he was induced to make inquiries, and was made acquainted with the extraordinary fact, that in 1818, by a public edict, the king of Naples, in compliance with the recommendation of the congress of Vienna, had united the government of Sicily and Naples.

Lord *Castlereagh*, in explanation, declared he had never heard of any such document as that quoted by the noble lord. He hoped the noble lord would produce the document, if in existence. When applied to on the subject, he had refused to give the king of Naples any advice as to his conduct with regard to Sicily. The noble lord knew very well that he (lord C.) had endeavoured in vain to administer that system to which he alluded. The parliament not being able to reform itself, threw itself into the arms of the king.

Sir *J. Mackintosh* said, that the statement of the noble lord was of importance, not merely as it related to the case of the individual, but to the general affairs of Europe. The noble lord opposite imagined that there was a contradiction between him and the noble lord behind him. There was; but it was merely as to words. It was asserted that the king abrogated the constitution of Sicily, in consequence of the act of the Congress of Vienna. The noble lord denied the fact; but did not the noble lord recollect the secret treaty between Naples and Austria, dated the 12th of June? That flagitious treaty had produced the effect of which the noble lord behind him complained. It was a treaty conceived in the true spirit of foreign tyranny—it bound the king of Naples not to introduce any regulation in the affairs of its internal government, without the sanction of Austria. It certainly struck him as not a little singular, that ministers should have referred the case of capt. Romeo to the Neapolitan government. He could not help observing, that the conduct pursued towards captain Romeo—a foreigner—a man in reduced circumstances—a brave man—a man who was nearly ignorant of the English language—who was friendless in a country to which he had rendered important services—was not very creditable to the English government.

Lord *W. Bentinck* then read the document in question.

Lord *Castlereagh* expressed his doubts of the authenticity of this document.

Mr. *Hume* said, that the noble lord had mis-stated the fact when he said, that captain Romeo had escaped from prison, whereas on that occasion he had been transported by an order from the king of Naples, countersigned by the English consul, Mr. Lee, in a Swedish vessel to Egypt. With regard to the 1,400*l.* it had been paid as a bribe to the mistress of the French general, to procure his escape. With respect to the length of time of his claim, how could it be otherwise, when he was two years and a half in getting to England, and was then ten months before he could get an answer?

Ordered to lie on the table.

Naples.] Sir *R. Wilson* said, that having seen a letter purporting to have been written by his majesty's minister at Naples, which he had good reason to believe to be authentic, containing principles the most objectionable in every point of view, he had thought it his duty to bring it before the House. The House would bear in mind the circular letter of the noble lord opposite—that it declared the intention of the British government to maintain the strictest neutrality; they would remember also, that when the British army evacuated Sicily, a declaration had been made, that the British government would not interfere in the affairs of the two Sicilies, except in two cases:—1. If an attempt was made to wrest from Sicily its rights, which had been established under British protection; and 2. If any persons who were employed as agents of the British government, were persecuted for what they had done in that capacity. It was, therefore, with much surprise that he had read the letter of sir W. A'Court to the minister of foreign affairs at Naples, who had requested to know the intentions of the British government, particularly with respect to the British fleet stationed in the Bay of Naples. In this letter, sir W. A'Court, after stating that the British government had no intention to interfere in the affairs of Naples, adds this remarkable exception: "It will interfere in no way with the affairs of this country, unless such interference should be rendered indispensable by any personal insults or danger to which the royal family may be exposed." That this could bear no other construction than that of a possible attack upon Naples, was evident by what followed:—"Not foreseeing the possibility of such a case, the undersigned flatters himself that nothing will alter the peaceable attitude in which Great Britain is placed." There could be no misconstruction in this: it appeared that sir W. A'Court thus claimed a right for the British government to attack Naples if the royal family were exposed to danger or insult—to telegraph the British fleet to bombard Naples while the Austrians were attacking it by land. The laying down of such a principle as this was detrimental to the independence of all nations, and therefore injurious to ourselves; for we could create no principle of national law which might not one time or other be applied to this country. He could state, on information which enabled him to pledge his authority for its correctness, that at Troppau, when the conversation turned on the probable changes of ministry in England, and the possibility of some members of that House coming into power, the directing minister of the alliance being present, said, that if such a change should take place, the allies were determined to treat England as they were now treating Naples. When in reply to this it was observed that Napoleon had found great difficulty, in spite of all his power, in getting to London, the same minister said, we may find the same obstacles for a time, but we can treat England as an infected or tainted nation. This conversation was not loose talk. It was intended to prove the extensive, comprehensive nature of the confederacy. If the principle laid down by sir W. A'Court, could be maintained—if it were to go forth to Europe that such was to be the ground on which a war might be commenced—he put it to the noble lord whether pretexts would be wanting to involve Great Britain in hostilities. Did he think that the machinations that had disturbed other nations—that had agitated Spain, that had distressed France, that had suspended the Habeas Corpus act in England—would be wanting in Naples to compel this country to take part in the war already commenced? Did he imagine that the adversaries of the new constitutional system in Sicily would be deficient in their mischievous activity? Might not even the allies themselves use effectual exertions to drag the British government into this most impious crusade? Dismissing this, however, he would ask whether this menacing neutrality was not calculated to alienate the feelings of the inhabitants of Naples—holding out, as it did, that their king was the property of the foreigner, not of the native? Would it not rather urge them to, than restrain them—from the very acts sir W. A'Court deprecated? Such was not his language only. In 1792, a communication was made from the Crown to parliament, and in the discussion Mr. Pitt conjured the House not to employ such language as in the furious state of the French people might serve as a pretext for the commission of that crime which all must be desirous to avert. The instructions sent to lord Gower were in the same spirit: he was instructed to declare, that the strictest neutrality should be preserved, but to add, that it was not inconsistent with this neutrality to express his majesty's solicitude for the personal safety of the royal family of France. That was the language of true neutrality; and, that neutrality was then meant was evident, from the fact, that even after the execution of the king, war was not immediately declared. Mr. Pitt then declared, that whatever might be their indignation at the event, it formed no ground of hostility, nor should he recommend a war of vengeance; and though M. Chauvelin was ordered to quit this country, a door was left open for accommodation, and war was ultimately declared by the French government. How was it possible, indeed, that with any show of reason we could regard a violence done to the person of a monarch as a ground of hostility—we, who had adjudged one king to die in a manner which few were now prepared to say was not lawful, however they might condemn the execution? We who had tried and sentenced the sovereign of another country by a regular tribunal, and who, by another act, had deposed a third sovereign. He did not pretend that the king of Naples had regarded the invitation to repair to Laybach as a blessing of Providence, nor would he assert that that monarch, having sworn to maintain the constitution, rejoiced in the opportunity of violating his oath. He left it to the allies to cast such a foul imputation on their brother monarch. But he would suppose that the king of Spain or Sweden had sworn to maintain a constitution, and had afterwards leagued with foreigners to destroy it; he would ask, was it possible that we should interfere and say, whatever the guilt of the sovereign, we would protect him, and if the axe of the law should fall, that we would unsheath the sword of vengeance? It was impossible to say this without violating the rights of independent nations. It was the more necessary to ascertain the nature of our neutrality, as, in spite of the noble lord's circular, the allies, in their declaration, had asserted, that though the British government, from particular motives, could not join with them, there was "a perfect unanimity of principles and views" between the allies and this government. It became the more necessary to know the nature of our neutrality, because we knew the whole extent of the charges against the Neapolitans, which consisted in their having assembled a parliament, and accepted the Spanish constitution, of which the king and the people were said to be ignorant. Now, was the noble lord prepared to say that the king of Naples had not previously signed the Spanish constitution, to secure his succession to the Spanish throne?—But where was the crime of the Spanish constitution? Had it not been in action in Spain? Had it there caused destruction to persons or property? Had it even raised the sword of retributive vengeance? It was said, too, in the manifesto of the allies, that the Neapolitan people were now discontented with the new order of things. Was there any proof of this in their present enthusiasm? There was also the old burthen of the Carbonari, who were sometimes said to be contemptible for their paucity, sometimes formidable for their extent, and who were alleged to have cast off all respect for morals and order. In the same spirit a noble lord in another place had asserted, that the Carbonari had taken an oath, not only to disobey the laws of man, but of God. This, however, had been a charge of old standing; it had been made against all reformers, even against the primitive Christians. He would not quote Julian the apostate, but one of the greatest historians of the world, who had termed the Christian religion "exitiabilis superstitio;" and, in reference to the accusation against the Christians, that they had attempted to burn Rome, added, "haud perinde in crimine incendii quam odio humani generis convicti sunt." He was acquainted with the secrets of the Carbonari, and he could say of them, as was said of the Stoics, "nulla secta benignior, nulla amantior hominum." The noble lord would answer, no doubt, that they had been guilty of assassination: it was true, and all history proved, that assassination was the weapon employed by the oppressed. The emperor of Austria had desired him on one occasion to lose no opportunity of declaring that nothing should induce him to trespass on the independence of Lombardy; but, no sooner had prince Eugene signed his unfortunate treaty, than the lust of dominion returned; and it was demanded, in the first instance, that the kingdom of Italy should be annexed as a province to the Austrian empire. With regard to the occupation of Naples, he could give the noble lord some information. The military occupation, and even vassalage of Naples, and of the country north and west of the Mincio, was an inalienable part of the plan of the allies. Another part of their project was to take and keep possession of Ancona as a *tête de pont*, for the lodgment of stores without danger of interruption to the line of communication.

The noble lord was probably ignorant of this part of the scheme; and he did not seem to be aware that Naples had annually paid no less than 5 millions sterling to Austria. Of course the emperor would not be very willing to relinquish so large a tribute. These considerations should have induced the noble lord to interpose, and say that this country would wot suffer the military occupation of Naples. Did he know that Sicily also was to be occupied by means of a Russian armament? And did he apprehend nothing from another rival? It was well known that the Americans had long been endeavouring to obtain possession of a port in the Mediterranean, and it was not improbable that the Russians would allow them to take possession of Syracuse. But, thank God! all these were now past danger. The question now rather was, whether the Austrian frontier should be thrown back to the Tagliamento? He would now tell the noble lord, when the event could no longer be retarded by publicity, that he would soon see the beacon of liberty flaming on every height, and shedding light into every vale that had been obscured by the darkness of slavery. The knell of despotism had been rung, and God be thanked, by the hands of the despots themselves. The moment of the union of the partitioners of Poland against the south of Europe was the commencement of the destruction of ignominious oppression. The allies were engaged with the power which Napoleon could not resist. He sinned against the spirit of the age and fell, and the same event would always follow the same atrocious attempt. The prince regent of Naples had already done himself immortal honour, and he would need no other protection than the loyalty and courage which his own bravery and fidelity would inspire. He concluded by moving for "A Copy of a Letter, dated 11th of February 1821, from sir W. A'Court to the Neapolitan Minister for Foreign Affairs; together with Copies of any Instructions from His Majesty's Ministers on which the same was grounded."

Lord *Castlereagh*, in rising to offer such explanations as he felt it to be his duty to supply on a question of this nature being brought before the House, would principally confine himself to the motion immediately under consideration. He should not think it necessary to enter into the discussion of all the topics which the hon. officer had touched upon, connected with the enthusiasm of the people of Naples. He should not inquire into the correctness of his information, nor say any thing on the subject of the rich repast which had been afforded by his details of conversations at Troppau, though he could assure the House that they had entertained him from their perfect novelty, as much as they could possibly entertain any one. Neither should he think it necessary to enter into the question as to the alarm which this country ought to feel on account of the efforts of America to gain a footing in the Mediterranean—neither should he follow the gallant officer through any of the prophetic visions in which he had indulged with so much satisfaction: he should content himself with saying that for his part, he should tranquilly wait for their fulfilment, without taking all the predictions of the gallant officer for gospel in the first instance. He apprehended, that to induce the House to give the document called for by the hon. officer, they must have some understanding that he meant to submit some practical motion on the subject to their consideration; because, if his object was merely to ascertain whether or not the document which had been published was genuine, he was ready to admit at once, that the note, such as it had appeared in the newspapers, was perfectly correct. It could not therefore be necessary to call for the paper to ascertain what was the language which our minister had held to the Neapolitan minister, nor could it be necessary to call for the production of a copy of the letter to prove that that which had been published was correct. He should judge that the hon. general, if he had any proposition to offer, must intend to show that the House ought to censure the conduct of ministers for issuing such a document, or that if the document was unexceptionable in itself, that he must propose to show that the principles which it set forth were inapplicable to Naples. No person, he apprehended, could mean to deny all right to interfere on our part in the event of the royal family of Naples being in danger. He must protest against the assumption that the language held respecting the royal family, could in fairness be construed into any thing like a departure from neutrality, to any thing like a threat of interference on the part of this country with the internal affairs of Naples. The interference mentioned in the note was merely in the event of personal violence being offered to any members of the royal family, and being merely an interference in a personal cause, it was distinct from political interference. The House could not be unaware of the discretion which government must necessarily grant to its ambassadors or agents in foreign states; and from official experience he could say, that such discretion could never be more safely granted to any officers than to sir W. A'Court and sir Graham Moore. The gallant officer had somehow contrived to entangle his argument with an allusion to the language of Mr. Pitt at the outset of the French Revolution, with regard to any parliamentary interference for the protection of the royal family. But although the conduct of Mr. Pitt was highly prudent, under all the circumstances of the case, it did not follow that the course pursued by sir W. A'Court, under different circumstances, was not perfectly right. In the case, however, of Mr. Pitt, which the gallant general had dwelt upon, so far from the principle of non-interference with regard to that family having been recognised, both sides of the House were equally anxious to deprecate any personal violence against the king or his family. To the honour of Mr. Fox, it could be said, that that distinguished statesman was quite as forward as Mr. Pitt, in reprobating the foul and impious deed which had stained the character of France, and fixed the brand of infamy upon its revolution. That deed had, in fact, placed France in a state of moral warfare with all the civilised world. Sir W. A'Court, in his letter, had threatened no interference with the internal concerns of Naples, but on the contrary, had laid down in the broadest manner, the principles of strict neutrality by which the conduct of his government would be regulated, and had declared that nothing could induce England to interfere with their affairs at all, but the circumstance of violence being offered to the royal family. Unless the House were disposed to adopt a principle directly opposite to that which had been sanctioned by them in 1792, they could not now resolve that the letter of sir W. A'Court at all deserved to be made the subject of suspicion. Though he (lord C.) denied the right of this government to interfere with the internal affairs of Naples, he would insist that a state of things which so endangered the royal family of that country would go to extinguish all the amicable relations of the two nations, and all the treaties at present subsisting between that country and this, and tend directly to place them in a state of hostility towards each other. The hon. general, wishing to goad and to drive this country into a contest in the cause of the Carbonari, had defended that sect. He had said that which would lead to a belief that he was in their secrets; he had represented them to be most virtuous, and their assassinations he had traced to the former system of government there established, while he called on the House to behold in them the fruits of despotism. But did the gallant officer forget that assassinations had been committed in this country? Such things had been known, and when the gallant officer described such crimes to result from despotism, he might be allowed to retort, and declare them to have grown out of secret conspiracies. He would therefore protest against the Carbonari and their assassinations, and against that principle which sanctioned the conduct of subjects who had been induced to bring their sovereigns before what had been called a regular tribunal. He apprehended the House would not, at this moment be disposed to relieve the executive government from the responsibility of persevering in the course which they had adopted. It was not now for them to consider what ought to be done, if unfortunately this government should interfere in the contest. When this should happen, then would be the time to call them to an account for departing from the principles which they had avowed at the outset. He would assure the gallant officer that those considerations had not escaped the notice of his majesty's ministers which he had been anxious to press on their attention. While they avoided committing this country to a new contest, they had taken that course which was likely most effectually to protect British interests, and even the cause of liberty itself (in the most enlightened view of the subject) from the dangers which were to be apprehended. Their conduct was calculated to guard Naples against placing itself in a situation which might make it almost impossible for the other governments of Europe to reconcile themselves with the party that might prevail. He believed the people of Naples to be more enlightened than the gallant officer, if he might judge from what had fallen from him that night. He did not anticipate that those excesses would occur which had been contemplated. The effect produced by the letter of which the hon. officer complained, was very different from that which he might suppose. Instead of its calling forth indignation, sir W. A'Court had received the congratulations of all classes on the occasion, it having been regarded as a protecting document, well calculated to prevent the occurrences of those violences, which, in times of popular revolution were but too justly to be apprehended. It was, in fact, considered as a guaranty of that neutrality which Great Britain had all along professed. This country had not received congratulations more cordial for any part of its conduct, with reference to its neutrality, than it had done on this very point. If the gallant officer supposed that this proceeding arose out of any community of feeling with other powers, or that it was likely to involve us in any thing that might grow out of that community of feeling among other powers, he entertained an apprehension that had no foundation. Before the congress of Troppau had broken up, the order of this government was issued; and our officers abroad were instructed to preserve the strictest neutrality. The terms used were those adopted by sir W. A'Court, and the position could not be laid down more strongly. Before the orders were officially issued, our officer abroad was vested with a complete authority and discretion to make them public, in any manner most conducive to the object which the government had in view; namely, to prevent a stain being fixed on the Neapolitan people by any insulting treatment of the royal family, and to show, by our conduct to that family, the strict neutrality which this country wished to preserve. Though circumstances did not admit sir W. A'Court to make the statement public immediately, or to let the government know that such were his instructions; still no remonstrance was directed to him, on the subject of our fleet. On the 5th February, our minister thought that circumstances rendered it necessary to state in what aspect the British government viewed the affairs of Naples; and, at that time, he furnished to the then minister, a statement of the intentions of this court, in order that the minister might, if he thought fit, make it known to the Neapolitan parliament. At that time, the Neapolitan cabinet did not deem it necessary to go into the subject; but afterwards, when the war broke out, the minister called for a further explanation, and sir W. A'Court furnished him with the document. It was therefore a declaration issued without the knowledge of the powers at Troppau. The act was done before they knew any thing about it. This was not an instruction issued merely on an abstract view of the possibility of such a danger, because, when sir Graham Moore sailed in August, after the revolution had taken place, it was thought that, under peculiar circumstances, the royal family might have occasion to be removed from Naples; and, in consequence, a general order was given to him to afford every facility if the occasion occurred. But when separate information of special danger was received by goverment, as was afterwards the case, ministers would not have acted rightly if they had not furnished his majesty's officer with a special order, founded on that separate information. They, however, guarded the terms of that order, so as to prevent this country from being involved in any difficulty, or the royal family from being subjected to any danger on account of it. In the instructions directed to the officers, they were ordered to take especial care that those general instructions were not perverted to purposes which were not contemplated at home. Whatever might grow out of the interference of this government, nothing connected with it could involve the tranquillity of this country. The instruction had no connexion in its origin, or in the object to which it led, with any thing that could bind us to a community of interest with the allied powers in their present proceedings. And, however delightful it might be to the gallant general to heap taunts on those sovereigns, whom he would ever consider the saviours of the world from the greatest calamity that could befall it, he thought it was not the sort of recompense which they deserved from any member of that House. But, though he viewed their character and conduct in a very different light from the gallant officer, he must observe, that this country was not a party, in any degree, to the course of policy they were now pursuing. This country separated from the principles which they laid down at Troppau and Laybach. The ministers of this country denied the principle which those sovereigns had laid down with respect to other states; and, in the present instance, resting on their own principles, and proceeding on their own grounds, they had sent forth the instructions to our minister at Naples. The doctrine of the gallant officer with respect to Austria was really of an extraordinary character; for, according to that gallant officer, Austria was proceeding to Naples, for the purpose of taking permanent military occupation of that country, which the gallant officer maintained had long been a desirable object with that government. Now, among all the flights to which his (lord C.'s) countrymen were liable, he could imagine nothing more extraordinary than that of supposing a government, long desiring the military occupation of a country, would give up the possession of that country as soon as it was obtained. Yet, what was the conduct of Austria upon conquering Naples, and especially Murat? Why, instead of betraying the least desire to retain military possession of that country, it immediately withdrew half its army, and the emperor dispatched a letter to the king of Naples, which he (lord C.) had seen, stating to the king that he had employed his forces in Naples, only for the purpose of restoring him to the throne; and that the remainder of the Austrian army should be promptly withdrawn, if the king felt that he could rely upon the native troops which were then marshalled in Naples. Well, the emperor of Austria did withdraw all his troops, and Naples, was left to that army, which appeared from recent events, to be so much under the influence of the Carbonari. When this was the case, he thought the gallant general was not justified in making those statements, which must necessarily produce inflammation. The gallant general had on this occasion stood forward as a sort of evidence in favour of the Carbonari; he had acted as a kind of *amicus curiæ*, to defend them from all attacks. He seemed to wish us to adopt their system, which was so perfect that it must purify the political and moral atmosphere. His argument seemed to be, if their principles produce so many blessings, why should we not have Carbonari here? He could never listen to such a project, until he found that benefits were rather to be expected from secret sects and combinations, than from open and avowed governments. He looked upon secret sects to be opposed to all good government. He had never known any thing but evil to spring from them; and notwithstanding all the gallant general had said, he should ever feel it his duty to oppose them. The principles of the British constitution justified him in denouncing such associations as ruinous to every order of society. The object of the Carbonari evidently was, to subvert all the governments of Italy, as recognized by the treaties on their table; and to have some general system, by which all the governments of Italy should be consolidated into one mass, contrary to the system which now existed. If gentlemen opposite were favourable to this general system, it was fair in them to give the country notice. It did not shake his opinion of those gentlemen; but it was fit that the government and the parliament should beware of taking advice, which was mixed up with such a dose of noxious ingredients. He could not feel the gallant general's enthusiasm;—he could not credit his prophecies; and he would repeat what he had said the other night, that Austria had no idea of breaking the treaties by which she was bound, or of making inroads on the territories of other states. This being the fact, when he heard the gallant officer endeavouring to mislead the House, on so important a point, he must enter his caveat against such statements, and declare, as an honest man, that he believed them to be unfounded.

Mr. *A'Court* vindicated the conduct of his relation, observing, that the reception which the reading of his note met with in the Neapolitan parliament furnished a complete answer to the objections which had been urged by the gallant officer.

Mr. *Hutchinson* supported the motion, and reprobated the proceedings of Austria, and the other members of the holy alliance, towards the independent people of Naples, who, from the vigour of their struggles against such a formidable conspiracy of despots, had proved that they deserved to enjoy the blessings of liberty.

The Hon. *J. W. Ward* said, he considered neutrality on the part of this government towards Naples, as a sound general principle. At the same time, he could not but regret that our conduct had not been of a more decided aspect, and that we had not a little sooner exerted that influence which belonged to our character. There might, he would admit, be good reasons against this line of conduct on our part; but what he meant to contend now was, that though acting upon moderate principles, we ought to have taken the important station which belonged to us, and that instead of being found skulking in the rear of the allied powers, we should have taken the lead. He did not mean that we should have resorted to arms, but that we should have exerted the influence which properly belonged to us, to have averted, if possible, the calamities which were now about to befall Naples. We could not for a moment, as men, as gentlemen, or as Englishmen, sanction the principle of such an interference in the internal administration of a country as was now acted upon with respect to Naples. If the principle were to be sanctioned, that Naples was to be interfered with for limiting her monarchy, what right had our ancestors to complain of the interference of foreign powers when we had changed our dynasty? He must contend against the monstrous principle of interference on the part of the despotic monarchs of Europe, to put down any principle of liberty which the increasing information and wisdom of other nations might think necessary for their own better government. He adverted to the impolicy of this country sanctioning, in the slightest degree, any such interference. The principle, he observed, which the allied sovereigns termed legitimacy, was high treason with us. The king of England could be no fit associate for such monarchs: he was of a different order of beings: incumbered as he was with a free constitution, they would be ashamed of him; and glorying in all the blessings of that constitution, he would be ashamed of them. But, who were those who joined in this crusade against the dawning liberties of Naples? Who were those who were afraid that her success would give an example for a military despotism? Why, among them was the emperor of all the Russias—a monarch who governed by a ukase; who possessed absolute power over the lives and property of the inhabitants, not merely of a great part of Europe, but, he might say, of a great part of the world; who reigned despotic from the great wall of China to the ocean;—a sovereign whose power was so absolute, that, according to the opinions of Russian jurists, he could leave the empire by will to whomsoever he pleased;—a monarch, whose peace establishment was greater than the war establishment of the Romans in the height of power. Was this the sovereign who was so anxious to preserve the kingdoms of Europe from any danger of a military despotism? Why, the whole system of Russia was military. All the honours and distinctions conferred in that country were of a military character. If she had occasion to send for any learned man from another country—for she had no great men of her own—the honours she held out to him were military. On one occasion, when a celebrated algebraist was sent for, he was immediately made a colonel of a regiment; and, if a man were there to discover the longitude, no doubt his reward would be to have a pair of epaulets placed on his shoulders, and the cross of some fighting order on his breast. And yet the sovereign of such a country was the man who was now so tenderly afraid, lest a military despotism should be established at Naples! And how did he propose to prevent such a disaster? By giving military occupation of it to the troops of his brother of Austria, and, if need should be, of his own; and all this to prevent the lawyers, or the lazzaroni at Naples, from having any share in the constitution! He begged of the House to consider to what dangers we ourselves had been exposed, before we had attained our present degree of constitutional liberty; through what difficulties, errors, and, he would add, crimes, we had passed to secure its possessions; and, after all, there was no one who would say that we had purchased it too dearly. But the revolution in Naples had not cost the life or property of a single individual. If we could say that it had been the work of Jacobins, or compare it to the barbarous massacre which had produced a revolution in another country, we might view it differently; but the question here was, were the Neapolitans to have no change in their internal government but what should be sanctioned by the despots of Europe? Were such attempts to be put down by the sovereign who, having established despotism in his own country, considered himself bound to crusade against liberty in those of his neighbours—by the monarch who, having established himself as a task-master at Milan, now wished to become the dictator at Naples? It was said, that there were Carbonari concerned in the revolution at Naples. Admit it; but did that strengthen the ground for attacking Naples? He knew that there were many great and good men among them: he knew that Prussia owed a great deal to such secret associations. But suppose that all such secret societies were put down, did Austria flatter herself that the hatred in which she was held existed only in secret societies? If she did, she would find herself fearfully mistaken. Not a plant in the fertile vales of Lombardy flourished so fruitfully as did the hatred with which her rule was received. Wherever the feelings of men remained—wherever a spark of the love of liberty was cherished in Italy—there existed this unsworn conspiracy against the destroyers of that liberty. This had existed, and would continue to exist, as long as the hatred to Austria lasted—which would be for ever. The only ground that Austria could have for a war with Naples, would be, if it had been proved that the government there had tampered with the Carbonari at Milan; that might be a ground, first of remonstrance, and afterwards of war; but no such thing had been proved. The real ground was that Carbonari existed at Naples, and that the emperor was troubled with the same description of persons in some parts of his dominions. We were now in the possession of all the benefits of a free constitution. The Neapolitans had not yet reached that state of perfection; but he trusted he should never see them deterred from pursuing their object by the failure of their present attempt, but that they would continue the struggle until they arrived at perfect freedom. There was nothing in the present state of Europe which did not show a wish, on the part of the people, for a better and more mitigated form of government. The wisest thing which those governments could do would be to comply with that wish: if they sought to extinguish the feeling, it might remain smothered for a time; but it would at length explode; and whenever it did, it would terminate in their ruin.

Mr. *Canning* said, he was unwilling to protract the debate; but, considering the situation in which he stood with regard to his majesty's ministers, he felt it to be due to them as well as to himself, to express his sentiments upon the question now before the House. Having held an official situation at the time when that policy which the motion of the hon. and gallant general had brought into discussion was adopted, it would be most uncandid in him if he did not avow and even claim his share of the responsibility which could attach to the measure which was now called in question; and he had no hesitation in avowing, that the order upon which the note of sir William A'Court was founded, was an order for which he was responsible, and for the justification of which, he was content to appeal to the House, to the world, and to posterity. At that period he entirely agreed with his colleagues, that the principle to be acted upon was one of decided and strict neutrality—neutrality not in word only, but in deed. Anxious, however, as the government were, to preserve such a line of conduct, still he should have held them to be the basest of mankind, if they had not provided for one probable case—if they had not qualified that system of neutrality with one condition—if they had failed to provide, as far as instructions could provide, for the perfect security of the royal family of Naples. To fling herself into that vortex of political agitation which must evidently remain after the withdrawal of the royal family should be effected, was neither the duty of England nor the intention of government; but to effect that withdrawal, if necessary, was the policy which had distinctly been avowed from the commencement of the contest. The gallant general who had brought forward the present motion, had thought proper to allude to the conduct of this government at the commencement of the war with France. He had stated, and had truly stated, that the instructions then given were of a different character from those which we had in this case given to our minister at Naples, and that a proposition made by the other side of the House, for direct interference, when the safety of the royal family of France was menaced, was received by his majesty's then government, not only with caution and distrust, but with an admission of the danger and impolicy of interference, as being calculated to produce the very danger against which it purported to provide. Surely the circumstances under which that proposition was then made, were extremely different from the present. But if Paris had stood upon the ocean instread of standing as it did upon the Seine, could there be any doubt that we should then have given instructions to secure the safety of the royal family of France, and that those instructions would have been unanimously approved, as well by the side of the House which approved, as by that which now discouraged a similar proposition under different circumstances? God be thanked, there had been no occasion to act upon the instructions given with reference to the royal family of Naples, and that the prudence and discretion of our two public functionaries had not been tasked on this occasion. He must say, however, that if those instructions had not been given, and circumstances had arisen under which they might have been rendered necessary, it would have been an indelible stain upon the counsels of this country. With this single exception, as stated in the note of sir W. A'Court, it was the opinion of his majesty's government, when he (Mr. C.) was a member of it, and he had no doubt that that opinion remained unchanged (though his own responsibility had ceased, and he of course possessed no means of knowing the fact), that a perfect neutrality should be observed—an entire absence from any participation in the policy or counsels of the allies.

It was impossible for any one who had heard the debate of that night, and who had listened to the speech of the hon. and gallant general, to doubt that the line of policy intended to be recommended to this country was war [No, no! from the Opposition benches]. The House was much fuller at the present moment than it was when the hon. and gallant general had made his motion, and many gentlemen therefore, who swelled the cry of No! no! could have no personal means of estimating the value of his assertion: but he would appeal to the candid opinion of any gentleman who had had the advantage of hearing the hon. general, whether the hon. and gallant general had not, in terms, advised, if not a war, at least an armed negotiation; and whether he had not declared, that in the event of the failure of such an armed negotiation, this country would be proud to incur the burthens of war in such a cause? He would submit to the House whether he had exaggerated the hon. and gallant general's statement. When an hon. member brought forward a motion for the production of a paper, the contents of which were known to all mankind, he would ask, what was the meaning of a perseverance in debate, and a division, (if it was intended to divide,) but to take the sense of the House, not upon the production of the paper, which for all practical purposes was in the possession of the House, but upon the sentiments and opinions with which the production of the paper had been supported or denied? The division of this night was, in effect, a division for peace or war. His (Mr. C's.) voice was for peace, and for the true means of preserving peace, namely, neutrality [Hear, hear!]. What was the difference, in effect, between a declaration in favour of war, and of an armed and menacing negotiation? Did the hon. and gallant general propose such a negotiation without intending to push it to a war, in the event of its failure? Much had been said of the change of character which this country had undergone from former times; but he believed it never yet presented such a picture of degradation as it would present, if, after assuming a menacing tone, it retracted its pretensions and shrunk back into tame acquiescence as soon as that menace had failed. In truth, then, it was proposed to enter into war with all the great powers of Europe—into war with all the powers to which at present we were allied—and for what purpose? If he knew himself, there sat not that man within the walls of the House of Commons—no, not even those in whose mouths the words were most familiar—who was disposed to view with less distrust an extension of the principles of freedom and good government throughout the continent of Europe than he was. He was not of the niggardly opinion of some persons in this country, who congratulated themselves on their own freedom, less from the positive blessings which they enjoyed, than from their contrast with less happy nations. He did not measure his own happiness by the misery of his neighbours, nor did he grudge that other nations should participate in that constitution which formed the blessing and the glory of his own. He saw that the principles of liberty were in operation, and should be one of the last individuals who would attempt to restrain them; but there was a difference between excusing an action when done, and using such means as should incite to that action: and England might incline to be satisfied with a result, yet scarcely approve the measures by which such result was brought about. He trusted that he never should arrive at that state of calm contemplation in which the gallant general opposite had talked of the murder of Charles 1st as a lawful proceeding. He hoped that no liberality of principle which might imbue his mind, would ever induce him to look at that transaction with any other feelings than those of the horror and disgust which its atrocity was calculated to excite. But even if he could bring himself in his closet to doubt of the enormity of the crime, certainly he never would, in public, give vent to such an opinion. Quite sure he was, that he would never speak such a sentiment in that House; and still less would he proclaim it aloud to a nation in the act of struggling for the attainment of independence.

> Excidat illa dies ævo : nec postera credant
> Sæcula; nos certe taceamus & obruta multâ
> Nocte tegi nostræ patiamur crimina gentis.

The time might come when other nations would have to claim that candour and indulgence which the gallant general so liberally extended to the history of his own. In God's name, let not England be foremost to vaunt her own shame, and to hold up her fault as an example to other countries: let her excuse herself if she could; if not, let her remain silent. Whether she gave her aid to the Neapolitans or denied it, let her at least withhold that aid which consisted only in the suggestion of crime.

In stating once more that he was the advocate of an unqualified neutrality, the right hon. gentleman said, he would advert for a moment to another course which had been hinted at. It was said, that there were means by which this country might aid the Neapolitans without committing itself to the issue of their struggle; that it might at least give the sanction of its opinion to the cause of freedom. Now it was upon that point more than upon any other, that he was at issue with the hon. gentlemen opposite. If it was right that, with a view to favour the progress of liberty, we should declare our alliances broken, and make war against those powers who were now called the oppressors of the earth, in God's name let that course be decidedly taken. Let the House sit day after day, and night after night, until their minds were made up; but let them then declare their determination when taken plainly and openly. Let there be no mistake about it. Let the country be told, "although you are already heavily burthened, there is yet a great work to perform, and you must prepare for new exertions and new sacrifices. True, England is saved; but that is not enough: Europe must be regenerated, and at your expense." If this was to be done at all, it must be done openly and avowedly; but, to adopt such a policy, and to follow it secretly and by by-ways, would only prolong the struggle, aggravate the difficulty, and probably defeat the end. Of all modes of support which England could extend to other countries, a constructive support was the most unfair. Direct support was capable of definition; it might be stated in precise terms, and recorded in stipulations which could not be mistaken: the country made an engagement, performed it, and there was an end. But constructive support, by which the receiving party usually understood all that they were entitled to expect, all that they might want, and the bestowing party that they were to be expected to furnish only what they might find it convenient to give, would only leave the deluded victim to finish with her single means, that which she had undertaken in the confidence of continued assistance. Had England no warning of the effect of such conduct? Let the House look at the case of Parga, so loudly and pertinaciously deplored and misrepresented by those who are now for countenancing and stimulating Naples, in which case the accidental expression of a British officer had been construed into a promise on the part of Great Britain, which must necessarily embroil her with a considerable portion of the globe. Suppose such a constructive promise to have been given to Naples, and suppose Naples, upon the faith of it, to have embarked herself in a contest, which otherwise she would not have undertaken—what disgrace, what eternal infamy, would be cast upon England, should she fail to fight the cause as her own; nay, as if contending for her own existence, with all the strength and means which exertion could command!

Then away with the distinction between war and an armed negotiation! Unless it was proposed to go even to the last extremity, and to involve the existence of England with that of her ally, all mention of support was but a fraud. And was it not romantic to talk of embarking the country, not on account of duty, alliance, or obligation, but merely as matter of sympathy and feeling, in a war in which she had neither interest nor concern? What instance was to be found in English history in which the country had embarked in a war of such extent, on any thing like such a principle, and come out of it with honour? Yes, one instance there was; one glorious instance, that of Spain. If there was any part of his political life in which he (Mr. C.) gloried, it was, that in the face of every difficulty, of every discouragement and prophesy of failure, his had been the hand which had committed England to an alliance with Spain—to an alliance with a country robbed of her government, and writhing, for the time, under the fangs of the conqueror. But could it be said, that he had ever named or argued that alliance as other than an alliance for better for worse? as an alliance which knit together the fates of the two nations so closely that neither could break from it with honour? He had viewed it as an alliance for life or for death; England furnishing the necessary supplies; Spain, the theatre upon which British means, British valour, and British money could most effectually and most successfully be exerted against a common enemy. Had he ever been seen to flinch from the contest? Had he ever consented to that compromise which had been spoken of—the going a little way and seeing what could be done, and then, if convenient, giving up the cause? Had he not constantly declared, that he would never have become a party to that alliance, unless he had considered the countries as already leagued by the multiplied injuries of a common enemy? Had he not maintained that England was bound to maintain the war even to exhaustion, unless, freeing herself, she freed her ally along with her? Therefore it was, that peace had been refused, unless what the enemy pleased to call the "insurgents" of Spain were comprehended in the treaty. And was it to the government that had done this, that the gentlemen opposite now imputed a fear of the word "insurgent"—a determination to ally itself with none but despots, and to fight in association with none but slaves? Perhaps there were those connected with the government who felt as warmly, and whose hearts beat as high in the cause of liberty as the hon. member on the opposite side of the House; but it was the duty of a government not to indulge their personal feelings at the hazard of casting an indelible shame upon the country; for he maintained, that it was a delusion, a mockery, to attempt to draw a distinction between an armed negotiation and an actual declaration of war; and to hold out a *little* aid, a little counsel, a little instigation, with a reservation that more should not be expected, and that in case of failure even that little should be withdrawn.

The House had been told, that we had arrived at a great crisis in which the monarchical and the democratic principle were at war throughout the world, and that England must make up her mind which side she would espouse. He admitted that we had arrived at such a crisis; and that the monarchical and the democratic principle were now opposed to each other, as the old opinions and the new opinions had been at the time of the Reformation. And did not the gallant virgin, queen Elizabeth, side, it was asked, with the reformed opinions of Europe? Doubtless it would be little short of heresy to presume to break the spell which encircled the name of that illustrious heroine; and, while she was merely praised, he would abstain from objection; but, when beyond being merely praised, she came to be held out as an example, then her conduct must be subjected to examination. The character of queen Elizabeth might be found in history, and—a little perhaps to the shame of England—it would be found best given by a writer of another nation. Rapin had fully characterised Elizabeth; and certainly that historian had every reason to speak with partiality of a princess, the bulwark of the Reformed religion—being himself a Protestant, who had fled to England from his own country, upon the revocation of the edict of Nantes. But what, under all these favourable circumstances, did Rapin say of Elizabeth? Did he accuse her that, overlooking the wants of her own country, she plunged into wars of which she could see no end? No: Rapin said, that Elizabeth followed those wars as long "as they served her own interest." Now, was that the kind of assistance which it was intended that England should afford to Naples? What would be said of England, if after encouraging Naples to try extremities, which she might otherwise avoid, England in those extremities deserted her? What would be said if, after contracting an alliance with Naples in June, and after a massacre taking place in that country in August, the king of England were, in September, to stand godfather to the infant child of the conqueror? And yet, such was precisely the conduct of Elizabeth: for, at the very time when the treaty of Blois was in agitation, she was busy in stirring up the

Huguenots; and, but a few months after the massacre of St. Bartholomew, she stood godmother to the child of Charles 9th.

He now came to the question—had England any duty, obligation, or national interest for entering into the present contest? Statesmen would not plunge the country into war unless its interests coincided with its sympathies; and the House would act most unjustly, if they first encouraged the Neapolitans to continue the war, and then abandoned them in the midst of their difficulties. Whatever the House, therefore, might think of the paper put forth by the allied powers—and no man abjured its principles more fully than he did;—whatever the House might think of the condition of Naples, he did believe that, in taking either one side or the other of that great quarrel, in which the allies were one party, and in which Naples represented, rather than was, the other—he did believe, that in engaging in such a war, the country embarked in no short or trifling contest. If it was to be a contest resembling that which took place at the Reformation, let the House remember what the duration and extent of the contest originating with the Reformation had been. He would call them visionary statesmen:—he would say that they were an unwise parliament—if they suffered their feelings to run away with them, and to urge them to acts in contradiction to the interests of the nation. He felt that he should be hurrying to a precipice, over which it must inevitably fall, the nascent cause of liberty, if he should undertake to fight its battles with means so scanty as should compel him to furl his banner before the battle should be ended. The House was sitting to do the business of the country—to look to the practical interests of the country—and it would be a poor excuse in those who were responsible for the advice which they gave to the country, to say hereafter, in imposing fresh burthens upon the people—"in truth we were misled by the enthusiasm of the moment; we were so angry at the foolish and pedantic state-papers of the allies, and all that was said concerning Naples was so moving, that we were induced to vote for war, and now we come to you with fresh taxes to enable us to carry it on."

Let the House, therefore, reflect on the probable result, before they allowed themselves to be led away by such motives of action. There might, indeed, be some temptation, if, as he said before, this sacrifice, this exhaustion of ourselves, were to promote the cause of general freedom. But could hon. gentlemen imagine that any exertion on the part of this country—that even the devotion of its whole strength and resources to the cause of Naples—would increase the mass of national happiness and national gratitude? Look at the constitutions which were at present framing throughout the world. Before we set out in a war to propagate opinions, we should be sure that the opinions for which we contended were such as we highly approved and thought worthy of being propagated at the expense of the vitals of the country: we had a right to know that we were contributing to the happiness of the human race before we engaged in such a war. It was, however, remarkable, that those who wished to go to war for the purpose of conferring on Naples the blessings of the British constitution, were very busy in whispering at home that the British constitution was good for very little. The language held by these gentlemen was, "The English constitution is not good for much, but come, my merry men all, let us fight for the establishment of the British constitution in Naples." Would to God that the British constitution were capable of being transplanted into other countries, and of taking root in their soil! But the idea of establishing it in other countries by the force of the sword, was too chimerical to be entertained. Let us not suppose, highly blessed as we were in the enjoyment of our envied constitution, that there was no salvation without its pale. Whatever might be the result of the present portentous struggle, it was not in our power to lead the parties to the point we wished, either by persuasion, remonstrance, or force. Let those who did not enjoy the happiness which we derived from a stable constitution, and who had grievances to redress, seek that happiness and that redress with our best good-will; but let us not, in the foolish spirit of romance, suppose that we alone could regenerate Europe. Let us not forget that we were rather likely to mar the experiment by our interference; let us recollect that the interference of strangers was always sure to become, either sooner or later, an object of jealousy. Show him the duty that called for the interference of Great Britain, and then, how great soever the sacrifice, he should say that duty must be performed; but obligation in this case he saw none. Here the spirit of monarchy was at war to crush every principle of freedom, said the one party; and there, said the other, the spirit of democracy was labouring to destroy all monarchies. We ourselves had in our constitution enough of democracy to temper monarchy, and enough of monarchy to restrict the caprices of democracy. Where was then the necessity for our incurring those risks which other countries, not possessed of a tempered constitution like our own, might laudably encounter? Why should we bring that which was settled into the same state of fluctuation as that which being at present unsettled must continue so until it should find its way to a settlement;—a way to be found, not so shortly and directly as gentlemen in the sanguineness of their spirit of propagandism assumed,—a way not to be taught perhaps by foreign example, much less to be opened by foreign arms. The price at which political liberty is to be valued, and the cost at which it is to be obtained, constitute the nicest balance, and one which only those immediately interested in the calculation are competent to decide. It was impossible to contemplate the struggles now going on in different parts of the world without anticipating struggles between the contending principles, fierce, arduous and of doubtful issue

Long years of havoc urge their destined course
And thro' the kindred squadrons mow their way.

But to those struggles it is not our duty to be parties; and to that havoc we have no moral right to give the stimulus of our exhortations, or the fallacious encouragement of a partial and precarious support. Let us rather maintain a perfect neutrality; where obligations exist, discharging them with strictness and rigorous impartiality, but cautious to contract new ones which it may be neither our duty, nor our interest, nor within the scope of our ability to discharge. He knew that it might be a task of difficulty to maintain this perfect equilibrium: the course we had to pursue was on a plank which lay across a roaring stream; attempts might be made to bear us down on the one side or the other. Our duty however, and our interests equally prescribed to us to persevere in an undeviating path, to preserve our resources entire until the period should arrive, if ever, when we might exercise our only legitimate right to interfere, from being called on to quell the raging feuds that threatened to distract the peace of Europe.

Sir *J. Mackintosh* said, he was under the necessity of rising in order to remove the obstacles which his right hon. friend had ingeniously raised to obstruct and confound all clear views of the subject, rather than for the purpose of contesting any of the principles which he had advanced. On the general subject he was not called on to make any declaration of his sentiments, after the unanswerable speech of his hon. friend, the member for Bossiney—a speech, the argument of which he defied the power of man to overthrow—a speech adorned equally with all the charms of wit and eloquence; wit to illustrate reason, and eloquence to enforce argument. It was not his intention to follow his right hon. friend through all the topics which he had thought proper to introduce, without the slightest relation to the subject before the House. He rose to disclaim those intentions and principles which his right hon. friend had imputed to all who had spoken on his side of the question, and which were entertained by not one of them. He would not follow his right hon. friend in those excursive wanderings into the history of this and other countries, with which he had amused the House; nor would he follow him in his panegyric on that government of which he had recently been a member. It would really seem as if he occasionally retired from the government, in order to have an opportunity of eulogizing its councils with a greater appearance of disinterested impartiality. He had well observed the address and ingenuity with which his right hon. friend had fastened on a parenthesis here and there in the speeches of his opponents, with the view of discovering some insulated proposition to which he might attach obloquy, since he found no opportunity of attacking the argument. Of this nature was the attack on what had been said respecting the propriety of bringing monarchs to trial for their political offences. Now, he conceived that no man should be brought to trial who could not be tried fairly; and as he believed that prejudices must always exist which would deprive kings of a fair trial, he would without any superstition towards them, apply to them the same general principle as to other men, and say, that if they could not be tried fairly, they ought not to be tried at all. His right hon. friend perceiving that, among all the parties that more or less divided that assembly, there had been expressed only one opinion of intense abhorrence against the conduct and avowed principles of the holy league, was aware that there was no chord in that House on which his eloquence could operate, but that which vibrated to the love of peace; and therefore he had created an imaginary party, whom he represented as wishing to plunge the country into the horrors of a war. To this imaginary opponent whom he wished to combat, he had imputed sentiments which had never been uttered in that House, but which had all along been abjured by every hon. member who had spoken on the subject. If the opposition had recommended remonstrance at the beginning of the atrocious invasion of Italy, his right hon. friend told them that remonstrance must end in war. His hon. friend (Mr. Ward) had said, that as he had loved peace, he wished our government had spoken out sooner; and with that sentiment he cordially agreed. The policy for which they blamed ministers was, the neglecting to take any measures for preventing what had now covered Italy with confusion, and might involve all the nations of Europe in war. Did any man ever hear, till this night, that remonstrance from one nation to another must necessarily be followed by war? Did any statesman ever lay down such a principle? On the contrary, did not the history of Europe abound with instances of amicable remonstrances against war, which had never been followed by hostilities? If France and England had expressed, six months ago, their opinion against the war with Italy, would that opinion have been despised? Were they sunk so low in the scale of national consequence, as not to be able to prevent their own allies from engaging in such a war? Was it for this that we were called the protectors of Europe, and boasted of having set all Europe free? Now, he maintained, in the first place, that the policy of early remonstrance would have been pacific; and that, by neglecting it, war had been ultimately rendered almost inevitable; and, in the second place, he denied that remonstrance necessarily carried the alternative of war.—The hon. and learned gentleman next adverted to the observations made in defence of the instructions given to sir W. A'Court. No man in that House blamed the government for placing a squadron in the bay of Naples, for the protection of British subjects and British property. As to the other object of the squadron—the removal of the royal family in case of danger—it no doubt was consistent with neutrality, and therefore it was unnecessary to argue this point. The declaration that our shores were likely to afford the best asylum for the royal family, would, however, have come with a better grace from other lips, than those which, for the last seven years, had been advocating a cruel and inhospitable Alien bill. But he would ask one question connected with this topic—Was not the unfortunate king conveyed from Naples in a British ship, when he proceeded to appear before the self-constituted, usurping, tyrannical, and insolent tribunal at Laybach? Had not all Europe read with horror the account given by the duke de Gallo, first, of the interview between him and prince Metternich, and then of that between him and the poor infatuated monarch himself, in the presence of prince Metternich? From this account, it appeared, that the unfortunate monarch had not been allowed to see his old friend and counsellor alone, but had merely been brought, as it were, from his prison, and permitted to hold a conversation with him in the presence of the minister of the allied sovereigns. It was not, therefore, against the violence of the people of Naples, but against that of the monarchs at Laybach, that the royal family required protection. The noble lord (Castlereagh) had said, that he did not agree with the general principles avowed by the allied sovereigns; but that he was not prepared to contend that they were not justified in the line of conduct which they were pursuing. The declaration of the emperor of Austria, however, was directly at variance with that of the noble lord; for he stated, that the government of England perfectly agreed with the principles on which the alliance were acting, but that particular circumstances prevented it from taking an active part in the proceeding. Did these words convey any idea that the Austrian cabinet supposed that the English government did not concur in the principles which regulated the allied sovereigns? If his right hon. friend, instead of reading the history of Elizabeth's reign in a book written by a respectable French refugee, had consulted an English work of standard authority, and written by no less celebrated an author than lord Bacon, he would have found that the zeal with which Elizabeth espoused the cause of the oppressed people of the Netherlands and of the French refugees, was dwelt on as one of the greatest glories of her reign. He had thus defended himself and his hon. friends against an attack, which, with whatever skill and eloquence it had been made, must fall to the ground, and "like the baseless fabric of a vision, leave not a wreck behind."—His right hon. friend had asked, why they should give their support to those who would not take the English constitution as the basis of their liberty; and seemed to think that by that argument, which was quite inapplicable to the present case, he had found out an inconsistency in their conduct. But, the only opinion which he had ever asserted on this subject was, not that the Neapolitan constitution was a good one, but that the independence of nations had been attacked by the flagitious conduct which the allied powers had exhibited towards the Neapolitans. Indeed, it appeared to him, that the allied powers, by their circulars from Laybach, had been guilty of the same attack upon the independence of nations that the National Convention had been, by its decree of July 1792, of which the overt acts were the seizure of Belgium and Savoy. In the same manner that the convention had attacked the independence of the world, had the members of the holy alliance attacked the independence of every nation in Europe, and thus had left the question of peace and war to them only as a matter of policy and prudence.

Sir *R. Wilson* made a short reply, in the course of which he vindicated the Carbonari from the charge of being the promoters of assassination. He likewise eulogized them for the wisdom with which they had projected, the bravery with which they had executed, and the glory with which they had consummated, their revolution of Naples, and stated that the principles which they professed were so widely diffused throughout Italy that there was scarcely a single Italian who was not a Carbonari. The right hon. gentleman had said, that there was a conflict now waging throughout the world between the monarchical and the democratical principle. He denied it; but he would allow that there was a conflict now waging between the principles of an arbitrary and those of a representative form of government; and from the bottom of his heart he hoped that the representative form of government would prove triumphant. As the letter of sir W. A'Court was written merely for the purpose of informing the Neapolitan government that the British fleet would only be employed in case of any personal outrage being offered to the royal family of Naples, he should beg leave to withdraw it.

The motion was accordingly withdrawn.

HOUSE OF COMMONS.

Wednesday, March 21.

American Loyalists.] The entry in the Journals of the 17th February 1793, of a resolution for an address on behalf of the American Loyalists, having been read,

Mr. *W. Courtenay* said, that the address which had been just read stated, that it would have been superfluous for the House to express the regard of the nation for every description of men who had, in the cause of his majesty, risked their lives and forfeited their properties, during a long and calamitous war. It was in conformity with the sentiments contained in that address, that he rose to bring before parliament, the case of persons who had so risked their lives and forfeited their properties. The House would see the difficulties he had to meet in bringing forward claims in 1821, which had their foundation so long ago as the peace of 1783. But he hoped to satisfy the House that the lapse of time could not create a bar to those claims. At the commencement of the American war, the legislature of America took every means to prevail on persons of property and influence in that country, to raise what was then called the standard of rebellion. It was, on the other hand, the duty of the government of this country to call on the exertions of individuals in America, who owed allegiance to the king of England. Accordingly, royal proclamations and resolutions of that House were issued from 1776 to 1783, calling upon individuals to join the royal standard. At the peace of 1783, there were two classes of persons who had lost their property in the service of England, and who therefore had claims for compensation on this country. The House was aware that by several acts of the legislature of America, the persons of the loyalists had been attainted, and their property confiscated. By the 4th and 5th articles of the treaty of 1783 it was agreed that there should be no impediments thrown in the way of the mutual recovery of debts, and that the congress should do all in its power to have restitution made to the loyalists. The persons who had suffered in consequence of their attachment to the cause of England, were persons who had resided in America, and whose property had been confiscated, and English merchants who had lost their property, in consequence of commercial transactions with America. At the time when the address which had been read by the clerk was agreed to by the House, it was the general understanding, that full and complete compensation should be made to those who had suffered in the cause of England. In evidence of this, he might refer to the speeches of the late lord Thurlow, the late chief baron Macdonald, then solicitor-general, to Mr. Wilberforce, and many others. By an act passed in 1783, certain commissioners were appointed to carry the treaty into effect, and to ascertain who were the loyalists who had claims upon the country. There was one class of loyalists to whom the commissioners refused compensation, namely, those who had vested their property in America. To those persons the commissioners said, "We will not listen to your claims until you first get from America what you can." By a treaty which was entered into in 1794, America undertook to make full compensation to British creditors, and to prevent legal impediments from being thrown in their way. In 1789, Mr. Pitt called upon that House to make compensation to those who had lost their lands in America, and also to those who had been ruined in their professions in consequence of their attachment to the English interest: the House up to the present hour were in the habit of making good that compensation by an annual vote. But for the British creditors no compensation was made, no redress was granted to them—if he excepted their share of a sum of 600,000*l.* which, by a treaty entered into in 1811, America bound itself to pay, and which was accordingly paid. It was material to observe, that it never was considered that the sum of 600,000*l*, was to be taken as full compensation; if it were, that, indeed, would be a full answer to the claim which he now put forth. It was allowed on all hands, and it was so decided in a court of justice in America, that all the treaties entered into between America and England, subsequent to the peace of 1783, recognized the claims of the loyalists. The government of this country, he contended, was bound to make compensation to them, as from America they had no expectation whatever. It was true a very considerable time had elapsed; still, the House would recollect the material fact, that they had never ceased to put forth their claims. After contending, that the case which he now brought before the House had never been decided upon, and urging, that there was much greater danger of a bad example from refusing, than from granting the claims, the hon. member moved for "An Account of the Dates and Descriptions of all Communications that have taken place between his Majesty's Government and any of the persons styling themselves American Loyalists, or their agents, since the 4th of April 1812, to the present time; together with Copies of such of the said Communications as bear date respectively on or about the 5th of April and 3rd Dec. 1812; the 21st April, 6th and 10th July 1813; 26th May and 2nd Sept. 1814; 31st Jan. and 17th May 1815; 19th June 1817; 8th April 1819; and 1st May 1820."

Mr. *Dickinson* supported the motion, and contended, that as the claimants had done every thing to keep their claims alive, they were not to be opposed by a sort of statute of limitation, which was set up in the mind of the chancellor of the exchequer. He knew no stronger claim upon this country, than that of persons who had sacrificed their property and the interests of their families from attachment to its cause.

Mr. *W. Smith* said, that these gentlemen had for forty years been entitled to compensation, and now the very length of time during which justice had been withheld, was made an argument against their demand. When they saw every day compensation made for the loss of offices which those who had lost them had no right to expect to retain, it seemed extraordinary that so great a reluctance should exist to accede to the claims of those who had lost every thing through their attachment to this country. He recollected the American war, and had differed from these loyalists as to the part they had taken;—nay, he had thought at the time that they deserved punishment; but that punishment would never have amounted to one-fiftieth part of what they had since endured.

Mr. *Wilberforce* said, if ever any set of men were deserving of consideration, it was these claimants, who had drunk to the very dreg the bitter cup of that "hope deferred," which "maketh the heart sick."

The *Chancellor of the Exchequer* admitted, that men in office were obliged to look with more scrupulousness, and perhaps want of liberality, upon the demands of individuals, than they would be disposed to do if the claim were upon their own private funds. The case made out by the hon. member was unquestionably very strong. He by no means meant to contend that the lapse of time was a bar to the demands now made, because those demands had been unremittingly pressed; but it was high time to come to a final decision whether any thing or nothing should be granted. Neither did he mean to argue that any thing more than a partial compensation had hitherto been afforded to any of the parties. He then proceeded to notice the precise stipulations of the treaty of commerce with the United States in 1794, and followed it by some observations upon the breach of faith of which America had been guilty with regard to the creditors whose demands she thereby undertook to satisfy. The dispute upon this point had been finally, amicably adjusted; and the total amount of the claims was settled by commissioners, at about 1,450,000*l*., out of which the loyalists, exclusive of commercial creditors, required 250,000*l*. He combated the position, that the attorney-general for the United States had contended in the courts of the republic, that the claimants were barred *in limine* by the attainder upon them for their conduct. In illustration, he referred to various documents, and especially to the report of a board of joint commissioners, appointed under the 6th article of the treaty of 1794. He was ready to produce the papers now called for; but he thought it right to state that there were many grounds on which these claims ought to be resisted. To those documents he should beg leave to add others, that would bring the case fully before parliament. It was painful to resist the claims of those who were not only suffering, but meritorious; but he could not separate the case of the loyalists from that of the merchant creditors; and he considered both of them as suffering from the common fate of war.

Dr. *Phillimore* considered the case made out by the hon. and learned mover as strong a one as ever came before the House. The chancellor of the exchequer had, in his view of the question, been led into a confusion of the rights of the loyalists with those of the American creditor. But, according to all national law, the two were quite distinct, and their claims rested upon a very different foundation.

Mr. *Lockhart* said, that he was an advocate for compensation to that description of American loyalists who, being domiciled in America, had sacrificed their property to their allegiance: while he would protest against any attempt to indemnify the mere British merchant, who might have made unsuccessful speculations in America at the period alluded to.

Mr. *Courtenay* said, he had no objection whatever to the distinction which his hon. friend had desired to establish.

The motion was agreed to.

Repeal of the Malt Tax.] Mr. *Western* rose to move for the repeal of the late additional Malt tax, and maintained that upon every consideration of feeling, justice, and policy, that motion ought to be agreed to; for no tax existed which was so injurious to the comforts of the people or to the interests of agriculture. He protested against the idea generally held out, that any member who called for the repeal of a tax was bound to propose a substitute, for that would imply that he who discovered the oppression or injustice of a tax was not entitled to complain unless he were disposed to become a second chancellor of the exchequer, whose peculiar duty it was, to provide for the financial exigencies of the country. But he the more objected to this idea, because he was an advocate for the reduction of the aggregate amount of taxation. He wished it, however, to be distinctly understood, that he did not desire this reduction, by the exemption of the agriculturists, or any particular class, from the general pressure. He was not one of those who would tax the funds for the support of the poor-rates, or who would recommend any violation of the faith pledged to the public creditor. The amount of the poor-rates was undoubtedly a subject requiring the attention of parliament; but he would not embarrass his present object by any reference to that subject. The purpose of his motion was, to produce the removal of a tax most oppressive in its operation, and in consequence comparatively unproductive to the revenue. In order to show that the tax was unproductive the hon. gentleman then entered into a detailed comparison of the tax upon malt, the growth of barley, and the extent of produce and consumption from the year 1791 down to the present day, showing that in England, Ireland, and Scotland, the produce of barley, and the consumption of malt had diminished, as the tax upon the latter had been advanced. Hence, he concluded, that this branch of the revenue had been egregiously mismanaged. He thought some means might be found to remedy the evil of excessive importation, without infringing upon the spirit of the act of 1815. As to the speculative opinions which had been broached upon the subject of free trade, gentlemen might as well talk of the abstract rights of man as of the abstract principles of free trade. To constitute a free trade, the British agriculturist must possess the same advantages as the foreign grower, but if he started with such a load as the aggregate amount of taxation in this country, while the foreign grower laboured under no such disadvantages, this was any thing but a free trade. Another great source of pressure upon the agriculturist, and indeed upon all classes of the community, was, the operation of the act passed in 1819, vulgarly called Mr. Peel's Bill. He was aware that it would be considered almost profane in that House to call in question the wisdom of that measure, but without impeaching the wisdom of the act, or the abilities of the persons who advised it, he must be permitted to declare his firm conviction that it would never be a permanent act. He called upon the House, as it regarded the principles of justice and policy, and as it valued the prosperity and morals of the country, to agree to the measure which he had the honour to propose. He concluded by moving for the repeal of so much of the act of 1819 as imposed the Additional Duties on Malt.

Mr. *Mackenzie* said, that the extent to which illicit distillation had been carried in Scotland in 1816, had occasioned the act to establish small stills for the express purpose of consuming the inferior grain raised in the remoter districts of Scotland. In consequence of this change of system, a great increase of the quantity of spirits distilled had taken place up to the period of imposing the additional duties on malt, when the inferior species of barley was rendered perfectly unsaleable, because it was only barley of the best quality which could afford to pay the duty. The barley in the greater part of Scotland was of an inferior quality, and the consequence of imposing the additional duties was, that almost the whole of this barley was thrown into the hands of the illegal distiller. The duty on ten gallons of English spirits was *3l. 5s. 6d.* and in the northern districts of Scotland the same quantity of illicit spirit could be purchased for *2l. 10s.* It was almost unnecessary to say any thing more in order to show that this was a premium on smuggling, and that such a policy affected the revenue no less than the morals of the country. With regard to the effect of this tax in reducing the consumption, it appeared that on the quantity of spirits made in Scotland during the last year, there was a diminution of 100,000 gallons, as compared with that of the preceding year. He believed he stated the uniform sentiments of the magistrates of Scotland, when he said, that there was no increase of revenue to be purchased by this tax, which was not more than counterbalanced by the evils which it brought upon the country.

Mr. *Ellice* said, that if he could reconcile to himself that the tax might be dispensed with, without injustice to the public creditor, or injury to the wants of the state; and if there could be any rational hope, that the distress of the landed interest could be relieved by the repeal, he would support it; and he could do so with the more consistency, as he had reprobated its imposition in 1819; when the other measures then determined upon with respect to the currency, rendered the country less able to bear the additional 3 millions of taxes. Now, with respect to the expediency of repealing any tax, he had often stated his opinion, that, under the peculiar circumstances in which we were placed, and with a view to the permanent benefit and security of the fundholder, if the country was really able to wade through the difficulties of our situation, that it would be both just and politic to relieve the present pressure to the extent of the supposed sinking fund—looking to the effects of such a measure, and the future prosperity which was anticipated in some quarters, to cause us hereafter to establish a more efficient fund for the redemption of debt—and as his hon. friend had stated that the additional taxation on malt had considerably reduced the consumption—this was to him an undeniable proof that the present tax was excessive and injurious, both to the grower and consumer; and he had therefore no hesitation in saying this was a case in which we were justified in commencing our reduction of the public burthens. He would put it to the House, whether the sinking fund, as it was now managed, was really a fund for the benefit of the stock-holder. All his hopes on this subject had vanished, when the necessities of the country required the great inroads already made upon it. The nominal amount was said to be now between 2 and 3 millions, and appeared more to be viewed as a fund to satisfy the extravagant exigencies of a profuse government, than as applicable to the object under pretence of which it was drained out of the pockets of the people. What was the necessity for so much intricacy and complication in our accounts relative to the sinking fund? An account was laid on the table, by which, in various sums, and under different denominations, about 17 millions of money appeared to pass and repass between the commissioners, and the Bank and Exchequer, of which, last year, according to the admission of the chancellor of the exchequer, only about a million and a half was applied to the reduction of debt; and, according to other accounts, not above half that sum. What was the meaning of all this complex operation—merely to keep up useless establishments and sinecure offices? He had another objection to the accounts as they were now kept—that the country was represented as owing a third more than, bad as was our situation, the debt amounted to. Why not at once cancel the redeemed debt;—and, if there was really a surplus at the end of the quarter, apply that simply in reduction of the arrears of the consolidated fund; or, in the further redemption of such stock, as it appeared most beneficial to the country to purchase? The truth was, that nothing tending to economy could be expected from the administration; and all this machinery was, to keep out of sight the jobs and waste of the ruinous system on which the administration of our affairs was conducted. Would the House believe, that the same amount of excise and customs duties—for the collection at the two periods was nearly equal,—34 millions cost in 1807 1,100,000*l.*; and in 1820, 2,400,000*l.*? Part of this difference might arise from the abolition of fees; but that could not amount to a million; and, in fact, if there was no surplus on the sinking fund, he thought the repeal of this tax was desirable, to force on government the absolute necessity of retrenchment. The House ought now to make the experiment, how far a limitation of means might affect the object which all parties appeared to desire. He could not coincide in the opinions of the exclusive pressure with which this tax bore on the agricultural interest. It was mainly felt, until our arrival at a diminution of consumption, by the consumer, at which point it began to press on the producer. There were many better reasons for its repeal, but none more cogent than the effects to be apprehended from them, on the moral habits and comforts of the agricultural labourer; but he was content to ground his vote on the occasion, on his hon. friend's showing on this part of the case, and upon the statement generally, that the agricultural petitioner selected this tax, as that from the repeal of which, at present, they expected some relief. His hon. friend had talked of rendering the act of 1815 more effectual for the protection of the home grower. He had thought, on the contrary, that the useful experience which the agriculturists had hitherto had of that system, would have induced them now to be the foremost in praying for its repeal; and if he could venture to recommend to gentlemen so tenderly alive to their own interests, the measure most likely to promote them, he would suggest to the committee up stairs, the repeal of that law as peculiarly adapted to that purpose. What good had the advance of the price of corn to 80 done in 1817, 1818, and 1819? It had oppressed the consumer, for the temporary advantage of the grower; and this last, in his turn, was still more grievously oppressed by the forced importation, from the temptation which a double price held out, not only of all the surplus corn of other countries, but by our creating a scarcity in those countries; the inducement being so great, as to insure our receiving any grain, which could be scraped together for exportation. Make this bill, as his hon. friend called it, more effectual—raise the price, if you please, to 90, and what are the consequences? They must be additionally oppressive to both consumer and agriculturist. The same scarcity, or apprehension of scarcity, which would carry the price to 80, would raise it speedily to 90. The increased price is an additional temptation to the foreign merchant. And again, your markets must be overstocked and overloaded, with a surplus beyond our wants, which will press with double weight upon the farmer, in the one or two subsequent seasons, and more particularly after he has been led to expect the high price to which corn must have arrived, to encourage this importation. This absurd system was not only injurious to ourselves, but to the rest of the world, at least, to the foreign consumer, and, indeed, in the end, to the grower, although he may temporarily reap the benefits of our folly, by the extravagant, instead of the moderate price at which, if we required it, we might purchase his produce. In short, he should only tire the House by following all the details of absurdity and mischief which the continuance of this system was calculated to produce. Then, as to those other propositions for what was called protecting the agricultural interest—they must lead to the same results. High prices are the remedy most in vogue; but then, how are these to be procured? The price of grain in this market, now exceeded that of any other market in Europe, on an average about 25 per cent. Would any disinterested person say, that was not a sufficient prohibition against the particular or partial taxation, oppressing the cultivator of the soil in England beyond the farmer in other countries? If, then, this protection is sufficient against over-taxation especially bearing on land, how far do the agriculturists desire us to push this principle for their relief? Would they wish us to force the average value of wheat to what was called the remunerating price of 1815, to 80, and to make the cost of the labourer's subsistence in England more than double that at which the artisan in Flanders, or France is maintained, and with which countries we have now to compete in manufactures and commerce? Or, do they think, if the legislature should be absurd enough to pass laws for this purpose, that any government could at the moment when this application became necessary, enforce them? The simple truth was, that with the depreciation of our currency went high prices; and since the rejection of the motion of his hon. friend (Mr. Baring) a few nights ago, the agriculturists might safely banish any expectation of again seeing them, and prepare, as best they might be able, for the change of circumstances, by which not only their interests, but most of all the trading part of the community had been so seriously affected. The farmer, it was true, could easily escape. He must reduce his expenses, as his capital had been reduced to one-half, and then call upon his landlord and the parson to diminish in the same proportion their rent and tithes. In short, if he could venture to recommend any course of inquiry to the committee up stairs, as that from which any beneficial results could be expected by the farmer, it would be to give up all hope of high prices, and to bend their attention entirely to the reduction of expenses. Let them take the account read in the House by the member for Norfolk (Mr. Wodehouse), of the comparative produce and expenses of a farm in 1792 and 1820. The price of wheat was now, and would remain much the same as at the former period; and the expenses of rent, tithes, taxes, and tradesmen's bills must be reduced to the same standard. The farmer, although in his own estimation he may not be so great a personage, or appear of so much consequence in the eyes of his inconsiderate neighbour, from the reduction in his style and mode of life, will be equally comfortable and more independent, unless he has contracted debts, instead of laying by a provision for altered times—when his case like that of any other debtor, whose burthen has been so much aggravated, and whose means have been so much diminished by the enhanced value of money, will indeed be desperate; and no remedy to be expected from the legislature, after their former determination, can relieve him. With respect to the landed proprietor, where he is entirely unincumbered, he may submit to the depreciation with the perfect assurance that a diminution in his expenditure, equivalent to it, will, at no distant period, follow the reduction of his rent, from the fall in the price of all other commodities. The incumbent proprietor will at last feel the effect of all his blind confidence in the ministers who have unfortunately brought the country to its present crisis, and regret in vain the support he has given them, in enabling them to anticipate and waste the resources of the country in ruinous and unnecessary wars, successful possibly as far as the page of our history may relate them, but the fruits of which are only now seen in the distress and suffering by which the nation is so universally oppressed. To say that he felt equally for that portion of the landed interest, who had, with constant subserviency supported the principles and resolutions brought forward by the chancellor of the exchequer in 1813, with respect to our currency, and the proposition of the right hon. member for Oxford in 1819, without exercising their own judgments or opinion on so momentous a subject, would be to disguise his real feelings. The effects of the last measure they would not so easily shake off, as they derived temporary advantage from the first; and among the necessary and unavoidable effects must be, the reduction in the price of agricultural produce to about the same relative price it bore to that of other countries in the ten years preceding 1796. He had foreseen and foretold all these difficulties, on the proposition for restoring the standard in 1819; and although he concurred entirely in the principles of the committee, in the dilemma in which the country was then placed, he doubted much, whether the injustice of restoring the standard was not as great to one class of individuals who had been led into contracts, under grievous circumstances, as it would have been to another class, whose interests had been so much and so unjustly affected by the paper system, if parliament had then rendered the depreciation permanent. Depreciation to the extent of the necessities of the state,—if the alternative of depreciation had been adopted—to which opinion he was then inclined, from a full sense of the difficulties which surrounded us, and from no desire on any other ground than the absolute necessity of the case to defend himself, as advocating a measure so apparently and otherwise really unjust—was a portentous question; and he was satisfied that any lesser proposition than making the standard 5*l.* 10*s.* instead of 3*l.* 17*s.* 10*d.* could not have cured the evil. This opinion, however, he so singularly maintained, that he was unable to find an individual in that House who would second a proposition for recording it on the Journals; and he had always objected to any half measure of relief, by depreciating the standard to any lesser amount, from which great mischief would naturally result, without any adequate compensation for the sacrifice of principle it necessarily involved. It was on these grounds, that having once agreed to the restoration of the standard, he would be the last to recede from it. He had voted against the proposal of the hon. member for Taunton, by which, although not directly or openly, and therefore the more objectionably, he effectually sought again to depreciate the standard. If there was a question on which his mind was more decidedly made up than another, it was, that no temptation of expediency should now whatever might have been his feelings in 1819, induce us to deviate from the course we had chosen; and he should, if our future experience confirmed his apprehensions of the difficulties we had still to contend with—prefer any other distressing expedient which necessity might force upon us, to any fresh tampering with the currency. One benefit had already resulted from the restoration of our standard—the relief which a depression of prices had generally given to the industrious classes, and as the distress still to be borne, would lean on those who in a great measure were the promoters of it, they had only now to look back with bitter lamentations on their past confidence, and make amends for it to the public, and seek relief for themselves in a determination to enforce economy and retrenchment to the utmost extent on the government. On this occasion, and on all others, he would assist them on this principle to the utmost of his power, he would be most ready to listen to and consider any suggestions which might be offered, to take off those taxes which partially affected them although the present one did not so directly as was alleged—even if compelled to substitute others in their place—and no person could regret more than he did, that by the short-sightedness of their own policy, they had, in some measure, sacrificed to the monied, the old landed interest of the country, on the independence and prosperity of which our liberties and institutions so mainly depended. On these grounds, differing as his opinions did essentially from those of the hon. gentleman who introduced this motion, he gave it his entire consent.

The *Chancellor of the Exchequer* said, that when the hon. mover stated, that the produce of the tax on malt had been diminished by the additional duties imposed in 1819, he had by no means accurately stated the accounts before the House. Now, the first inference which he should draw from the accounts on the table was, that the repeal of the war duties on malt in 1816, did not relieve the agriculture of the country, which he should prove by an argument of the same nature as that of the hon. member, for he should shew that the repeal of those duties did not increase the consumption of malt in the succeeding years. The average quantity of malt between July, 1816, when the duties were taken off, and July, 1819, when a considerable part of those duties was reimposed, was less than 22,980,000 bushels; whereas, in the three preceding years, it amounted to 26,469,000 bushels, so that there was a diminution of upwards of 3,000,000 bushels, after the tax was taken off. But if the repeal of the tax had not the effect of increasing the consumption, neither had the reimposition of it the effect of producing any further diminution of consumption. On the contrary, since 1819, there has been an increase of 1,200,000 bushels. The quantity of beer consumed by a large portion of the community was for the most part so uniform, that a moderate fluctuation in the price of barley did not materially affect the amount of consumption. From a computation which had been made, it appeared that the strong beer brewed within the last year, exceeded by 40,000 barrels the average of the three years before. He maintained that the malt duty fell not upon the farmer, but upon the community at large; and if this position was clearly established, as he contended it was, he would ask, whether any tax could be more equally levied upon the mass of the people? He would also contend, that no unfair proportion of the tax had been raised from Scotland; he could not therefore consent to any partial diminution of the malt tax with respect to that country. It was argued that the malt tax tended to encourage illicit distillation in Scotland. He was not, however, aware, that any general diminution had taken place in the distillation of spirits. There might, perhaps, have been a partial diminution; but if so it arose from another cause. Under these circumstances, he must oppose the motion.

Lord *A. Hamilton* pointed out the severe hardships which the increased malt duty imposed upon the landholders of Scotland. It was unfortunately discovered that a small portion of land in the neighbourhood of Edinburgh was equal in its produce to good English land, and therefore the whole produce of Scotland was taxed equally with the produce of the most fertile land in England.

Lord *G. Cavendish* supported the motion, from a conviction that it would alleviate the distresses under which the agriculturists laboured. It might be invidious, in the present state of the country, to state how the operation of any particular tax was felt. But take the operation of the taxes generally; let them look to the manufacturing and the commercial interests, and they would find that both were able, according to the vulgar phrase, to hold their heads above water. Could the same be said of the agricultural interest. Let them look back for the last twenty years. Let them recollect the burdens which had been laid upon the landholder within that period, and then let any gentleman put it to himself how it was possible for the landholder or farmer to bear up against those burdens.

Mr. *Wodehouse* said, that the tax in question was the most objectionable of all our taxes both in a moral and political point of view. He knew of his own knowledge, that it prevented many persons altogether from growing barley. It was impossible to deny, that it went in fact to destroy the cultivation of barley altogether. Landholders now turned themselves to growing of wheat as the most productive grain, the consequence of which would be the speedy exhaustion of the land, and from this would arise that greatest of all curses, a high price of bread. The only way to avert this evil would be, to encourage the cultivation of the lighter soil, by which means a permanent stock would be secured. Some might wish to reduce one tax and some another, but the main question to be considered was, which portion of the community was labouring under the greatest distress? He would say the greatest distress was felt by the arable land farmer, As long as the Poor laws remained in force so long would the landholder have a paramount claim upon parliament when his exigencies required their interference. It was stated that the proprietors of certain lands extorted high rents from the farmer; now the average produce of the lands alluded to was 40 bushels of wheat or barley per acre;—the rent was 26*s.* and he should leave it to hon. members to say if that rent was exorbitant. Never was there a period of greater, agricultural distress than the present. He felt it a duty which he owed to the magistracy and yeomanry of the country to state, that the effects of that distress were only warded off by the mutual co-operation of both; and he feared that unless some remedy was devised, we should be reduced to such a situation that magistrates would be obliged to order the maintenance of the poor on men whose substance was gone, and whose fortunes were ruined. On these grounds he would support the motion; guarding himself however, against any implied censure on the conduct of government.

Mr. *Sumner* said, that the war which had required the present heavy taxation had been supported by the people. Never since man became a pugnacious animal had a war been more cordially supported by the people. He had voted for the repeal of the horse-tax; and he would vote with every member who proposed any reduction of taxes that might relieve agriculture; yet he would vote against the present motion.

Lord *Folkestone* did not think that the repeal of this tax would relieve agriculture; but it would relieve the community, which was a much more desirable result. With respect to the necessity so often contended for, of keeping good faith with the public creditor, under all circumstances, he could not help regarding it as fallacious. The maxim, "nemo tenetur ad impossibile," was one of universal application, and he could easily conceive cases in which a perseverance in what was called good faith might ultimately prove to be bad faith. If the advantage of the public creditor was to be purchased by the injury of the whole community, he conceived that the obligation to preserve that faith was at an end; for the greater must be the more binding duty. Every day's experience rendered it more and more evident, that the country could not go on maintaining its faith at such an expense; it was, therefore, an act of duty that good faith should submit to necessity. Suppose the country were threatened with invasion, and that it was impossible to prepare for its defence if we persisted in paying the public creditor—would it not, in that case, be a breach of duty towards the nation at large not to break faith with the public creditor? Suppose the public debt had accumulated to such an amount, that the taxes necessary to pay the interest created such distress among the people, as to require the suspension of our liberties, in order to preserve tranquillity—was not that a case also in which they would be justified in breaking faith with the public creditor? [Here there was a good deal of confusion in the House.] He would intreat the House not to be driven by any alarm at the opinions which he had expressed, from voting for the motion. The best way of avoiding any breach of faith was, to support every motion for economy.

Mr. *Huskisson* said, he would call upon the House to recollect, that it was only two years ago since government had come down, and recommended an addition of three millions to the taxes for the maintenance of the public credit, and that taxes to that amount were passed by a majority of 327 to 129. Would any one say, that such a change had taken place since that period in the circumstances of the country as to render it necessary that they should repeal four-fifths of the addition then made—for that was the proportion which the tax under consideration bore to the whole amount? If we were in a situation to reduce any of the public burthens, this was not the first tax which ought to be removed. But when hon. members attributed all the distress under which the agricultural interest laboured, to its operation, they were guilty of great inconsistency: for the distress had not only existed before it had been imposed; but during the war, when it was 1*s.* a bushel more than it was at present, the agricultural interest was in its most flourishing condition. Whatever other objections there might be to this tax, he did not think that any could be made to its unequal operation. Hon. gentlemen had argued, that it ought to be removed on account of the general distress which prevailed. Now, when he heard it asserted, that the manufacturer, the artisan, the agriculturist, and the land-owner were all involved in extreme distress, he was inclined to refer to facts to ascertain how far that position was made out. He could not state his views of the subject better than by showing the effect which the fall of prices had produced upon the different classes of the community. These classes were of three kinds: first, those who obtained their subsistence by their daily labour; second, those who lived upon accumulated and dormant capital; third, those who by their industry and intelligence in the use of their capital gave employment to those who composed the first class. Now, he apprehended, that though considerable distress might exist in some parts of the country, from want of employment, the fall of prices, occasioned by the late improvement of the currency, had considerably benefitted those who were in the first class. The condition of the second class was also ameliorated. That class consisted of the public creditor, of annuitants, and of persons whose income was derived from monies placed out at interest. The persons of whom this class was composed, had been taunted as the idle part of the community. He would call them persons, who, after a life of slow gains and patient industry, had confided their earnings to the care of the public honour; and he trusted that to a British parliament it was not necessary to make any appeal in their behalf. During the war, a depreciation of 25 per cent had taken place in the value of money: under that depreciation these individuals had suffered; and it was not too much to allow them to enjoy in quiet the alteration of circumstances which had since occurred. If the depreciation of money during the war had not equally affected the landlord, it was only fitting that it should so affect him now. But the truth was, that the land-owner had benefitted greatly by that depreciation: he had raised the rent of his land in consequence of it, and he must now lower it in consequence of the fall of prices. The third class included merchants, ship-owners, farmers, and those who gave employment to capital; and on them the change in the currency had operated severely. It was, however, to be recollected that this was the class which had received so much benefit from the diminution in the value of money. They were, he believed, in a state of considerable distress; but that distress had been chiefly created by the facility with which they had obtained money during the war. The land-owner wished to compensate himself for the burthens under which he laboured, and, in order to do so, availed himself of the speculations into which the farmer, who was his tenant, was perpetually running. Many of these speculations had since plunged those who had made them into great difficulties. These difficulties had then recoiled upon the land-owner, and had brought him to that House for redress. But the House would be deceiving itself, if it thought that it was in the power of any human legislation to change the course of events like these, which arose from unalterable causes. The difficulties of the land-owner, arising from this source, were, however, aggravated by others, in which the course of events had also placed him. He had fixed upon his estates, jointures, mortgages, rent-charges, &c. which he found himself unable to discharge. This led to a struggle about rent, between him and his tenant, and thus increased the evil condition of both.—It was, however, maintained by some, that all this distress was the effect of taxation alone. He maintained that it was not, and would give a practical illustration of the correctness of his position. No gentleman would say that the pressure of those difficulties which at present almost overwhelmed America was the effect of taxation. The poor-rates bore with great weight upon this country; but that could not be considered as one of the causes of the distress which prevailed in America; where a still greater fall of prices had taken place than had taken place in England. He regretted the state to which that country was reduced, both on the score of common humanity, and because our own prosperity was connected with that of others. The same causes that produced this unequalled distress there, had operated here; but he thanked God in a less degree; but still the effect was so severely felt, as to make people too gloomy and despondent about the result. But if the country maintained public faith with its creditors; if it was true to the principles upon which, up to the present period, it had always acted; if it disentangled itself from those branches of trade which, instead of promoting, impeded its interests; if it avoided those infamous expedients to which other nations had thought it requisite to resort, it would come out of the distress in which it was involved with unimpeached honour, and with a character rendered more brilliant by the very dangers to which it had been exposed. The right hon. gentleman concluded with moving the previous question.

Mr. *Wilberforce* said, he was anxious to see the public burthens alleviated as much as possible; but at the same time he was persuaded of the necessity of keeping faith with the public creditor. He would not aggravate, unnecessarily, the burthens of the country; for he was convinced that the best strength of a government was the good will and hearts of the people [Here the hon. gentleman proceeded for several minutes, in the midst of loud cries of "Question!"]. He complained of this interruption, and said, that gentlemen who came down late, should have some consideration, if not for those who sat there patiently all night, at least for the nature of the question itself. It was not one to be disposed of in a cursory and summary way; it was not one they ought to proceed with "pedibus ire in sententiam." He hoped the subject would be temperately discussed. He should support the motion.

Mr. *Monck* said, that the right hon. gentleman had asked, what difference there was in this question now and at a former period to which he had alluded. He would tell him—the difference would be found in the reduced state of the country. In proportion as the rent-roll of the country declined, in the same proportion ought the taxation which bore upon it. The right hon. gentleman had said, why complain now, seeing that the duty was much higher during the war? Because the prices which were then high were now low. He had talked of America; but he should recollect that there the salaries of men in office, and also the standing army, had been reduced one-half. There were two modes of relieving the agricultural interests; one by high duties and bounties—to that mode he objected; for to benefit one class, it must fall upon another. The only real good could be effected by economy and retrenchment; and the only way to induce ministers to resort to that was, by a removal of a part of the taxation, by which a system of extravagance was upheld.

Mr. *Littleton* thought that taxation should be more generally distributed; and that this tax, therefore, was not the one which ought to be continued.

Lord *Castlereagh* said, he could not help complaining that the notions of his hon. friend (Mr. Wilberforce), which were, he knew, those of benevolence, appeared rather contracted with reference to a principle of humanity; for his hon. friend should recollect, that the best mode of securing the satisfaction of the country was, to uphold the public credit which was so essential to its prosperity. The noble lord then complained that the present time should be fixed upon for withdrawing this tax. Would the House tolerate such an attempt, when the country was in a course of restoring its currency? The House had pledged the government to that course, and could not now, when the manufacturing distresses were not so great as they were some time back, call upon them to reduce its revenue two millions, without knowing whether they could reckon upon the same state of the revenue in the ensuing year.

Mr. *K. Douglas* thought that if the present scale of taxation was necessary, a more general tax than this could not be selected. The previous question being put, the House divided: Ayes 149, Noes 125. Mr. Western's motion was consequently agreed to, and a bill ordered to be brought in.

List of the Majority.

Allen, J. H.
Althorp, viscount
Anson, hon. G.
Astley, J. D.
Bruce, Robt.
Beaumont, T. P.
Barham, J. F.
Barham, J. F. jun.
Barnard, viscount.
Barrett, S. M.
Becher, W. W.
Bennet, hon. H. G.
Bernal, R.
Birch, Joseph
Bury, visct.
Burrell, Walter
Blair, J. H.
Benett, John
Buchanan, John
Bentinck, lord, W.
Bastard, E. P.
Buxton, T. F.
Blake, Robt.
Chaloner, Robt.
Calcraft, J.
Calvert, C.
Campbell, hon. J.
Carew, R. S.
Cavendish, lord G.
Cavendish, H.
Cavendish, Charles
Clifton, visc.
Crespigny, sir W. De
Crompton, Sam.
Curwen, J. C.
Creevey, Thos.
Cripps, J.
Curteis, J. E.
Claughton, Thos.
Corbett, Panton
Chetwynd, G.
Calvert, N.
Davies, T. H.
Denison, Wm. J.
Duncannon, visc.
Dundas, hon. T.
Dundas, Charles
Drummond, J.
Davenport, D.
Ellice, Ed.
Fergusson, sir R. C.
Farquharson, A.
Fitzgerald, lord W.
Fitzgerald, rt. hon. M.
Fitzroy, lord C.
Fane, John
Fife, earl of
Forbes, C.
Fox, G. Lane
Fellowes, W. H.
Gordon, R.
Grattan, J.
Grant, J. P.
Guise, sir Wm.
Grant, G. M.
Gooch, T. S.
Grant, col.
Gordon, hon. W.
Hamilton, lord A.
Harbord, hon. Ed.

Heathcote, G. J.
Heron, sir Robt.
Hill, lord A.
Hobhouse, J. C.
Hornby, Ed.
Hume, Jos.
Hurst, Robt.
Hutchinson, hon. C. H.
Harvey, sir E.
James, Wm.
Jervoise, G. P.
Johnson, colonel
Lennard, T. B.
Lambton, J. G.
Latouche, Robt.
Lemon, sir W.
Lloyd, J. M.
Lushington, Dr.
Lockhart, J. J.
Littleton, Ed.
Maberly, J.
Macdonald, J.
Martin, John
Mildmay, P.
Monck, A.
Monteith, H.
Majoribanks, S.
Mackenzie, T.
Neville, hon. R.
Nightingale, sir M.
Ossulston, lord
O'Grady, Standish
Palmer, col.
Palmer, C. F.
Parnell, sir H.
Pelham, hon. C. A.
Power, R.
Price, Robt.
Pym, Francis
Pollen, sir John
Pitt, J.
Penruddock, T.
Rice, T. S.
Ramsden, J. C.
Ricardo, D.
Robarts, A.
Robinson, sir G.
Rowley, sir W.
Russell, lord John
Russell, lord W.
Rickford, W.
Ramsay, sir A.
Rogers, E.
Rumbold, C.
Scott, James
Smith, hon. R.
Smith, W.
Smyth, J. H.
Stanley, lord
Sykes, D.
Scourfield, W. A.
Shelley, sir John
Sebright, sir J.
Stopford, visct.
Talbot, R. W.
Tavistock, marq.
Townshend, lord C.
Tennyson, C.
Warre, J. A.
Webbe, Ed.
Whitbread, S. C.
Whitbread, W. H.
Wilkins, W.
Wilson, sir R.
Wood, ald.
Wyvill, M.
Wodehouse, Ed.
Wynn, sir W. W.
Wemyss, J.
Wilberforce, W.

TELLERS.

Western, C. C.
Folkestone, visct.

PAIRED OFF.

Coffin, sir Isaac
Colburne, N. R.
Maberly, W. L.
Newport, sir J.
Nugent, lord
Ridley, sir M. W.
Sefton, earl

HOUSE OF COMMONS.

Thursday, March 22.

RECEIVERS-GENERAL OF LAND AND ASSESSED TAXES—DISTRIBUTORS OF STAMPS.] Mr. *Hume* said, he should confine his motion at present to the offices of Receivers-general and Distributors of Stamps, in order to avoid the imputation of proposing sweeping reductions. In proposing the abolition of those offices his object was,—1. To establish economy in the collection of the revenue; and, 2. To reduce the patronage and influence which produced so many baneful effects to this country. The two offices referred to were in the patronage of that House, and they were given in the several counties by the members of the counties to which they belonged. If the House should agree with him in reducing those offices, the saving and the diminution of influence would be considerable. There were 65 receivers-general in England and Wales, and one in Scotland. There were 95 distributors of stamps in Great Britain. The receivers-general in England and Wales were paid last year 41,415*l.* and 41,984*l.* as the poundage on their receipts. The great majority of the offices were filled by deputies; 34 being entirely performed by deputies; 10 jointly by principals and deputies; and 22 in person by the principals. It was strange, too, that those who received the largest amount performed the duties of their offices by deputies. In three reports on sinecures it had been admitted as a principle, that where the office was performed by deputy, there was *prima facie* evidence that the principal could be dispensed with. In Ireland there was no receiver-general. Why, then, should so much of the public money be expended on sinecure offices in England? The objection made to the reduction of the salaries of these offices was, the great security required from those who held them. Now, he could inform the government, that there were many individuals who would give them as good security as was now given for the proper payment of those taxes into the Exchequer, and who would collect them without taking the poundage which was at present taken upon them. Indeed, there was in London one receiver-general, who collected them without deriving any emoluments from the poundage upon them. The gentleman's name was Everett; and all that he received from the public, was 771*l.* a year, which was the amount of expense incurred by his predecessor in the arrangement of his office, and which the government had insisted upon his taking, in consequence of his patriotic conduct in giving up the poundage. He mentioned it also for another reason, namely, to show that there were other profits connected with the office. Up to 1783, large sums of money had been allowed to remain in the hands of the collectors, and great losses had consequently been sustained by the public. In that year an order was made, that the balances should never exceed 6,500*l.* That order was so far from protecting the public from injury, that the losses in the collection of the land and assessed taxes were greater than those sustained in any other branch of the public revenue. From a return, it appeared that on the 5th Jan. 1820, the lowest balance of cash in the hands of the receivers-general was 367,574*l.* Besides the interest upon this sum, they received a poundage upon the whole sum collected. The poundage was the same now as it was 50 years ago; and if it was deemed a sufficient remuneration when the taxes were smaller in amount, but the difficulties of transmitting them to London greater than they were at present, surely it was more than sufficient, now that the amount of the taxes was so much increased and the difficulties of remitting them so much diminished, that any banker in the country would remit them to town without making any charge for so doing, and be glad to do so, on account of the benefit which he would derive from the mere transition of the public money through his hands.

It was true, that great securities were required by government for the faithful discharge of the duties of the office of receiver-general. He had no wish to risk a farthing of the public money; but he could not help considering the securities for the office at present required as extravagant. There were individuals now living who, having been security for persons who had settled their accounts as receivers-general, were told, at the time, that there was not any thing, or a very small sum owing from those persons to the public, but who, ten, twelve, or fifteen years afterwards, had charges brought against them of 10,000*l.* 20,000*l.* and even 100,000*l.* If it were good for the public that the demanding enormous securities should continue, he would be the last to reprobate it; but it was as bad as bad could be. Since the year 1790, there had been ten receivers-general who had died or left office, and whose arrears amounted to 304,337*l.* On the first of January 1820, 117,115*l.* was owing to the public. What he wished especially to impress upon the House was, that the large balances which were left in the hands of the receivers-general, was an encouragement to peculation, and the cause of much loss. In the finance accounts it appeared, that although 6,500*l.* ought to be the maximum of the balances left in the hands of the receivers-general, many of the balances were of much larger amount; that in the hands of Mr. Eyton, the late receiver-general of Salop, being 89,180*l.*, and that in the hands of Mr. Shaw, the late receiver-general of Surrey, 71,861*l.* Mr. Shaw died in 1805, leaving a certain balance against him. The commissioners of taxes made a demand in consequence on his securities, who paid 30,000*l.* The commissioners then declared that the remaining balance due did not exceed 3,000*l.* or 4,000*l.* After five years had elapsed, however, the commissioners again came forward, on information which they had received in the interim, and demanded 40,000*l.* over and above the sum which had been already paid by Mr. Shaw's securities, of whom sir G. Noel was one, and Mr. L'Estrange another. This instance alone would be sufficient to show the extent of the existing mischief. But there was a more recent case, the circumstances of which shocked every man who had become acquainted with them. Mr. Eyton, the receiver-general for Salop, died in 1816. Mr. Eyton's accounts having been examined before sir J. K. Powell, and sir J. Hill became securities for him, they were told that the balance against him was only a few thousand pounds. On that assurance those gentlemen became his securities. After Mr. Eyton's death, however, the commissioners discovered that an enormous balance was owing from him to the public, no less than 20 years ago. In consequence of that being discovered, they called on his securities within a twelvemonth to appear and plead to the charge of no less a sum than 100,000*l.* They went into court, and there they proved that the money received from the land-tax had been paid regularly into the exchequer during the time that they had been his securities. The learned judge, however, who presided at the trial, informed the jury, that as money bore no mark by which it could be determined on what account it was paid, they must decide that it had been paid on the general account between the commissioners and Mr. Eyton; and the jury had found a verdict for the whole debt. If government had acted in this case, as it had usually acted in similar cases, it would have issued an execution against their property; but execution had been very properly stayed, and he trusted that no attempt would be made to revive it. It was, however, invidious to place government in such a situation as required it to show indulgence to one party, at the same time that it pressed the strict execution of the law upon another.

In the post-office, the customs, &c., not one-half of the losses had been sustained in all these departments combined, that had been sustained in the land and assessed taxes alone. In the excise, the total debt on the outstanding balances was not equal to one-half of that upon the land-tax. He, therefore, maintained that the House was bound to abolish these appointments, if it had any wish to study economy. There was, however, another point, which he wished to press upon the House. In the excise, the balances were paid into the exchequer eight times a year, whilst the receivers-general of the land-tax only paid in their balances four times a year. If the same plan were adopted as to the land-tax that was adopted as to the excise, a great saving might be created to the public in the interest of the money which at present went into the pockets of the receivers-general. Nor could they justly complain of the adoption of that plan; for, exclusive of *2d.* in the pound, which they received upon the land-tax, and 1½*d.* in the pound upon the assessed taxes, they received *3d.* in the pound for collecting it, and paid only 1½*d.* in the pound to their district clerks, who saved them all the trouble. Their profits would therefore well admit of reduction; or, if they thought that they would not, they had only to abandon their offices, and he would find others who would perform the duties of them, at a much lower rate, finding exactly as good securities. The nature of those securities was not, however entirely free from complaint; as they were not at all proportionable to the amounts received, but varied upon rules, of which he could not discover the principles. If it were necessary to keep up the offices, he would advise that the government should dispose of them by competition, and should encourage individuals to make tenders for them.

He should now proceed to that part of his motion which referred to the Distributors of Stamps. There were 68 distributors of stamps in England and Wales, who, in 1819, received allowances or poundage amounting to 72,650*l.*, in 1820, to 73,761*l.*, and on the 5th Jan. 1821, there was a balance of 103,000*l.* in their hands due to the public. This was the lowest balance that they ever had; for it was the money they retained at the end of a quarter, when they were expected to pay it into the exchequer: in the middle of a quarter they frequently had in their possession three or four hundred thousand pounds of the public money. He found that from 1694 up to 1758, they had been allowed a poundage of 5 per cent. In 1758, the rate of poundage was raised from 5 to 6 per cent. It remained at 6 per cent, till 1764, in which year it was again reduced to 5 per cent. Since that time, in consequence of the recommendation of a committee, of which the late Speaker had been chairman, it had been reduced to 4 per cent. in all parts of England, except Bristol, where it was only 3½ per cent. Now, the House would find, that each of the distributors of stamps received, upon an average, a salary of 1,068*l.* a year, independently of the interest of the public money in his hands, which generally amounted, every year, to several hundreds more. The question which he had, therefore, to submit to the House was—whether this sum was or was not too great a remuneration for their services. In order to bring under its notice the abuses of this system, he would beg their attention to the large sums which some of these distributors received. Mr. J. H. Cole, the distributor for Norfolk, had, for the last 19 years, received, upon an average 3,821*l.* a-year. Mr. Gray, of York, 5,881*l.* 4*s*; Mr. Gresley, of Warwick, 2,600; and in Lancashire, where there were two distributors, the average sum which one of them, Mr. Staniforth, had received at Liverpool in the last four years, was 4,328*l.*, and that of the other of them, Mr. Myers, was 3,445*l.* Now, he understood, from the best authority, that if government would allow men of respectability at Liverpool to become the distributors of stamps there, upon giving the same security as was now required, there were gentlemen in that town who would perform all the duties which those two gentlemen performed for 800*l.* each. He might be told that would only produce a saving of 3,081*l.* for each individual, and that that was only a trifling saving; to which he would answer, that it was only by reductions in items like these that the gross expenditure of the country could be diminished.

He would now call the attention of the House to what was the case in Scotland. At Aberdeen an individual received 1,500*l.* a year for the distribution of stamps. When he was last at that town, he was informed that many persons, who could give security for 50,000*l.*, would be glad to perform the duties of the distributor of stamps for 300*l.* a year. In Scotland these distributors, in the year 1795, received a poundage of 10 per cent, but now the 24 distributors only received an allowance of 6 per cent upon all their disbursements. Mr. Muir, of Glasgow, was patriotic enough to receive only 4 per cent; but it appeared, notwithstanding, from the returns, that he received 4,885*l.* annually, and, if the people of Glasgow were to be believed, a great deal more. He would have government put up the places of these distributors for public biddings. It could not be objected here that the parties who would bid for them would not be persons of property; for, if the individuals gave good security, all was done that was necessary. Besides the objections to the manner in which stamps were distributed, he had another objection to urge: it was this, that if an individual wanted a shilling stamp, he was charged 13*d.* for it. He himself had occasion the other day at Bath, to get a 5*s.* stamp, for which he was obliged to pay 5*s.* 5*d.* Thus the public were paying to the distributors, an additional tax of from 5 to 7½ per cent. This was a most shameful imposition; and he could not see any reason why, if a man who took five nails from his majesty's yard was thought deserving of transportation, the individual should not be subjected to a similar punishment who imposed a tax of an additional penny upon every stamp sold to the public. This evil, however, arose very naturally out of another. The distributors of stamps did not discharge their duties in person, but by deputy; and the consequence was, that when an idle poet (Mr. Wordsworth) was appointed one of their number, he minded little in what manner his deputy made his profits, provided he received his share of them.—The hon. member then proceeded to notice the manner in which the distribution of stamps was conducted in Scotland. There was in that country, one head distributor, who had the appointment of all the sub-distributors. The head distributor was appointed by the noble lord, in whose hands all the patronage of Scotland was supposed to be; and consequently, as the head distributor was a creature of the noble lord's choosing, the appointment of the sub-distributors was, in point of fact, part of the patronage of the noble lord. Now, all the sub-distributors in Scotland remitted directly to one and the same person in London. Why could not this be done in England? If it were done, a saving of 4½ per cent might, by that measure alone, be gained to the country. The aggregate of the saving which he had pointed to, would be 132,000*l.* It was with satisfaction he observed, that the attention of the Treasury had been directed to the subject. But what was the great relief proposed? A contingent saving of 20,000*l.* at some distant period!

Another objection to the present system was, the patronage which it created, and the use made of that patronage. The fact was, that the distributors had been gradually increased from 50 to their present number, to meet the political views of the existing administration. For instance, he had been informed, that some years ago there was but one distributor of stamps at Liverpool. On the death of the individual holding that office, application was made to government by general Tarleton, then one of the members for Liverpool, and the other member, both of whom were supporters of the administration, each in behalf of a friend. In this dilemma what did government do? They adopted the mode of splitting the office into two, and thus of gratifying both the applicants. He was very apprehensive that in many cases the influence which this patronage gave was used most injuriously to the public interest. There was a double motive, therefore, for reforming the present practice—the diminution of the national expenditure by 132,000*l.*, and the abolition of 167 sinecure places. If the House would not consent to such a reform as this, what could the country expect? Government themselves would eventually benefit from such a reduction of patronage; for, on the same principle as that by which the currency was affected, a diminution of amount would render the remainder more valuable. He repeated what he had said on a late occasion, that he was the government's best friend. If on the present occasion they would adopt his suggestion, they would give universal satisfaction—except, indeed, to the 167 sinecurists. He defied any person to make out a stronger case, coupling policy with economy. He did not propose any thing of a substantive nature. None were so able to carry any thing of that kind into effect as the Treasury; but if ministers would not do so, let them move for the appointment of a committee [Hear, hear! from lord Castlereagh]. He was happy to hear the cheers of the noble lord: he certainly did not expect them, because the proposal last year was met by the noble lord with a direct negative. He would now move:

1. "That there are 65 receivers-general of the land and assessed taxes in England and Wales, who received an allowance of 41,415*l.* and of 41,984*l.* in the years ending the 5th Jan. 1820 and 1821, for the duties of their office, although the greater number of these receivers-general performed that duty entirely by deputy, and retained balances of cash in their hands, which, on an average of these years, exceeded 367,574*l.* sterling per annum.

2. "That it appears by the returns before the House, that ten receivers-general were, on the 1st of Jan. 1820, in arrears at the time of their death, or of leaving their office, since 1790, to the amount of 304,337*l.* 12*s.* 4*d.*; of which amount a balance of 117,115*l.* 1*s.* 8*d.* then remained due to the public, as stated in the annual finance account laid before this House in 1820.

3. "That the office of receiver-general of the land and assessed taxes is one of deposit, and for remittance of the taxes from district collections to the Exchequer; and in the present state of the finances of the country, that such service may be performed at a less charge to the public than is now incurred, with equal security against loss, and with equal efficiency to the public service.

4. "That there are 95 distributors of stamps in Great Britain, who received allowances or poundage amounting to 87,233*l.* for the year ending 5th Jan. 1820, and 87,973*l.* for the year ending 5th Jan. 1821; and also retained balances of cash in their hands, which, on an average of these years, exceeded 138,926*l.* sterling.

5. "That in the present state of the finances of the country, the duty of distributor of stamps may be performed at a less charge to the public than is now incurred, with equal security against loss, and with equal efficiency to the public service."

The *Chancellor of the Exchequer* said, that he would move as an amendment, for the appointment of a select committee, to inquire whether the object of the motion could be carried into effect consistently with the public interest. He would adopt the suggestions of such a committee, whatever might be their effect as to patronage; that was a consideration which he would put entirely out of the question. They would examine into the details of the plan of the hon. member, and see how far the arrangement he proposed could be carried into effect. He could not think that the existing system was worthy of such complete reprobation as the hon. member bestowed upon it; but if on examination it should be found that defects existed in those establishments, he would not object to their removal. He could not, however, but be cautious in laying aside a system of collection which had been tried so long, and which had secured the public revenue with a degree of accuracy, which the hon. member was not aware of. Under this system, for a period of 30 years, a sum of 337 millions of money had been collected, and the whole loss on that sum was but 13,750*l.* He should now move, as an amendment, "That a Select Committee be appointed, to consider of the duties of the receivers-general of land and assessed taxes, and of the distributors of stamps, in Great Britain, and of the allowances made to the said receivers-general and distributors, and to report their observations thereupon to the House."

Sir *J. Mackintosh* said, that his hon. friend was entitled to the gratitude of the country, for the zeal and perseverance which marked his public conduct, and which rendered him one of the most useful members of that House. The perseverance of his hon. friend had obtained that concession from ministers which they had formerly refused to make. Besides, they had that night heard a lecture from the chancellor of the exchequer, on the propriety of retrenchment—on a total disregard to patronage—on purity and disinterestedness in public life, which would do honour to the exchequer of Utopia. With respect to the abuses of which his hon. friend complained, those abuses were too glaring not to be denounced by the committee. With respect to them, he considered inquiry and condemnation as synonymous. The concession which ministers had just made, would pretty clearly show the salutary effects of occasional majorities against them in that House. It showed how those majorities tended to liberalise their minds. It brought the language of economy to their lips—it induced them to consent to investigations which they had formerly resisted with all their might. He trusted that this example would not be lost on those hon. members who were generally in the habit of supporting them. They would see that a measure beneficial to the country might be carried, without depriving ministers of their offices. This must afford some consolation to those who had frequently shown themselves so desirous of securing to them a perpetuity of power. The time certainly had been, when a government would have required support in all great measures of policy or taxation, as the condition of their carrying on the public affairs. The time had been, when if either their foreign or domestic system, or any important part of it, were rejected by the House of Commons, ministers would no longer retain either power or office. But the time of these proud constitutional distinctions had passed away: it was now found that an administration might continue to enjoy power, after that confidence by which it could alone be justified, was withdrawn. He should not make any observations on the list of the committee, read by the right hon. gentleman, further than to remark—which he did without invidiousness, or, he hoped, indelicacy—that, with the exception of four or five names eminently qualified for the task, the list did not contain a fair representation of the different political views known to be entertained in that House. At the commencement the list promised extremely well; but the rear seemed to him to be in great need of reinforcements.

Lord *Castlereagh* observed, that the hon. and learned gentleman seemed to be more intoxicated with the majority in which he had found himself the night before than became a person of his experience and ability. He hoped the hon. and learned gentleman, now that he acted as the leader of a party, would not so easily be betrayed into these juvenile indiscretions. The exultation of the hon. and learned member was more worthy of a young beginner than of so grave and learned a personage. If he carried back his remembrance to the period when the present marquis of Lansdown was chancellor of the exchequer, he would find that the administration of that day had received two hints similar to the one of last night, and in fuller Houses, without considering it their duty to resign. They received two such warnings: one with regard to a tax on iron, and the other with regard to private breweries, neither of which induced them to make a surrender of their offices. To use a common expression, he would advise the hon. and learned gentleman not to halloo before he was out of the wood; for he was much mistaken if he supposed that the late division had induced the present concession. He could assure him, that ten days since, he (lord C.) had attended a meeting, at which it was agreed to refer the subject to a committee, without reference to any patronage whatever.

Lord *A. Hamilton* expressed his acknowledgments to the hon. mover, for his unwearied exertions in promoting retrenchment and economy, at a time when the public interests so imperiously called for them.

Mr. *S. Wortley* confirmed the statement of his noble friend, as to his attending a meeting at which he had pledged himself to consent to the appointment of a fair committee.

After some further conversation, as to the appointment of the committee, a committee consisting of the following members was agreed to, with which Mr. Hume expressed himself perfectly satisfied: viz. Mr. Chancellor of the Exchequer, Mr. Hume, Mr. Solicitor General, Mr. Bankes, Mr. Grenfell, Mr. W. Smith, Mr. W. Wynn, Mr. Macdonald, sir C. Long, Mr. Holford, Mr. W. Courtenay, sir T. Ackland, Mr. Brandling, Mr. Tremayne, Mr. E. Wodehouse, Mr. Chetwynd, sir H. Parnell, Mr. R. Smith (of Lincoln), Mr. N. Calvert, Mr. W. Whitmore, and lord Binning.

HOUSE OF COMMONS.

Friday, March 23.

ROMAN CATHOLIC DISABILITY REMOVAL BILL.] Sir *J. Newport*, after regretting the domestic affliction which had deprived this question of the splendid eloquence of Mr. Plunkett, and complimenting the gentlemen who had supported it, moved the order of the day for taking the report of this bill into further consideration.

Mr. *Croker* said, that when he gave notice of a motion for enabling his majesty to make provision for the Roman Catholic clergy of Ireland, he did so upon the full conviction that such a measure would tend to the security of the Roman Catholic no less than that of the Protestant interest; and the more he thought of the subject, the more he was satisfied of its propriety. He was aware, however, that many members, for whose opinion he entertained a sincere regard, objected that the time for introducing the measure was unfavourable, and he therefore was anxious that the House should be enabled to give its undivided attention to the approaching discussion. With this view, he should postpone the motion of which he had given notice until the bringing up of the report of the committee.

The House then resolved itself into the committee. On putting the question, that the first clause be agreed to,

Sir *W. Scott* said, that the present was one of the many bills which had been brought before parliament by men of great talents, actuated by the best of motives. The present measure he believed to have been introduced by a right hon. gentleman of equal talent, and with motives no less good, and if this bill should ultimately fail, it would show that there were difficulties in its principle which no abilities could surmount. The bill proposed to relieve certain Roman Catholics from the oath of supremacy, and the clause for that purpose, after pointing to the oath, suggested the adding of an explanation. Now, the original oath of supremacy contained two propositions; the first affirmative, as to the kingly authority over the church; the second negative, as to exclusion of papal and all other foreign influence upon matters ecclesiastical or spiritual within the realm. This was an ancient oath; at the Revolution it had been modified, and in that state it continued. It was not matter of concealment, but of notorious history, that anterior to the Reformation, the papal authority did exist, and was exercised, though checked occasionally by the firmness of our princes and our parliament. In one instance, it had been restrained by an act of the legislature; but it remained for the Reformation to decide against the authority altogether. This was the oath required, and taken in the best of times, and which the experience of two centuries had confirmed. It was particularly necessary to observe what was laid down at the time of the Revolution. It was then considered, that a divided religion, a distribution of authority with a foreign power, was inconsistent with the safety of the state. All the intermediate statutes had proceeded upon the same principle; and with reference to the oath itself, he thought no language could possibly be stronger. The primary object of the oath was, not so much to confer authority upon the Crown, as to divest it from the pope. It was demonstrable that this was the first principle of the constitution, to the exclusion of the pontifical authority even in spiritual matters. It was impossible to possess a greater authority than that which was mentioned in the oath. Give any one a man's conscience, and you give him in some degree the guidance of his actions. But to return to the historical part of the subject. In Elizabeth's reign the oath was qualified by an admonition which contained two propositions:—one was, that the queen enjoyed no other authority than that which was enjoyed by her royal father and brother. Then what was that authority? Why, an authority altogether exclusive of foreign influence. The other proposition was this—a slander had gone abroad, that the queen, as head of the church, claimed the right of performing spiritual functions. This was an error even as to the right; for the being head of the church did not necessarily include a right to perform the spiritual functions. However, against this right the Queen protested, and this was the whole of the admonition. Referring again to the terms of the oath of supremacy, the right hon. member said it was impossible for words to be more exclusive. But then the clause under consideration stated that the Roman Catholics felt scruples upon the subject, lest the oath might be construed into a denial of the spiritual authority of the pope. This he rather conceived to be a gratuitous assumption; though undoubtedly it went to the exclusion of authority in civil matters. The clause, in short, he conceived to be an attempt to explain a modern oath by an ancient explanation, in no way applicable to the question. He now came to consider the enacting part. It was proposed to change the nature of the oath itself. It was proper to consider the terms. The right hon. member then read the proposed explanation; and, referring to the words "in any manner conflicting with the duty due to his majesty from his subjects," observed, that this again was founded upon a gratuitous assumption; and no reliance, therefore, was to be placed upon the explanation. The interpretation he considered directly contrary to the tenor of the oath; and he called upon hon. gentlemen to consider whether its introduction would not be the adoption of a dangerous novelty. An oath was now substituted contrary to the tenor of the former; and the person taking the oath was to be informed, that the words of it were to be expounded differently from their ordinary import. This he thought was holding out a dangerous distinction for the private conduct of individuals.—A distinction which he considered fitter for the casuistry of schools than the dignity of a British parliament. He had other objections to the measure, but he should forbear to state them, and should conclude by observing, that his objections to it in principle as well as in detail, was invincible.

Mr. *Horace Twiss* said, he should not have presumed to rise immediately after the right hon. gentleman, whose great ability and high character made it so dangerous for almost any man to come into competition with him; but that no other member seemed disposed to speak, and he was anxious, as soon as possible, to bring back the question to the grounds on which the bill had been originally put by the mover. The right hon. gentleman who spoke last had said, that the admonition of Elizabeth had gone no further than to disclaim any greater power than was possessed by her father and brother. Be it so: but her father and brother had no law entitling them to administer an oath of supremacy to their subjects. When the right hon. gentleman deprecated the danger of a foreign power over a British conscience, it was material to observe, that there was a religious as well as a moral conscience: that a power over conscience in matters of abstract religion, which was all that the Catholics sought to except, was quite distinct from a power over conscience in practical matters, as to which all honest men, whether Catholic or Protestant, were unanimous. The oath of supremacy, explained as Elizabeth had explained it, was the only test thought of for a century and a half. It was not till the comparatively modern date of Charles 2nd, that any further test was thought of. And when, in that day, the test as to transubstantiation was for the first time imposed, it was the invention not of the monarchy to strengthen their own power, but of the opposition to weaken it. The monarchy resisted the tests then: to be consistent, it should now concur to abolish them. Very different seemed to be the light wherein the government, which saw the birth of that measure, regarded its probable tendency, from that wherein it is viewed by those who now seek to continue it. The laws against Catholics undoubtedly grew more and more severe, till after William's establishment on the throne. But did that settle the law? Was it so meant by the whigs of that day? The late dangers of the constitution were too fresh to allow their returning in William's reign to a regimen suiting a state of confirmed health: and therefore only the laws were for a while endured. Those dangers, it is said, have often recurred, and may recur again; therefore, the restrictions must be continued. Such an argument would go to any length; to repeal the Habeas Corpus act, because it has been sometimes necessary to suspend it: it would go, in Ireland, to establish martial law for ever, because it has been sometimes necessary to proclaim it there—to give up now all that is valuable within the constitution, lest that constitution be endangered hereafter, "et propter vitam vivendi perdere causas" [Cheers]. If the founders of the constitution had been living now, would not they have been the first to apply that great maxim of all common sense, that the reason of the law ceasing, the law itself ceases also? Or must we take those wise, just, temperate legislators to have held this monstrous language to the Catholics, "We put you under a perpetual ban. Times may alter, may mend, but you shall not profit by the change: in the improvement of all else, your condition shall remain stationary and hopeless. Tranquillity, which this generation has not found, may visit our posterity, but your children shall never share its blessings."—The hon. gentleman then referred to a memorial prepared by William and the whigs for the treaty of Ryswick, expressing their opinion, that the penal part of the code might even then be safely repealed, and that if the Catholics behaved well on that indulgence, further concessions might be granted; but that jealousy was excited in the people, when all was sought at once. This document proved two things; first, that the whigs never meant the restrictions to be permanent; secondly, that this system of solicitation by little and little, which the Catholics were so much blamed for pursuing, was the very course which the founders of the Revolution themselves contemplated, suggested, and preferred.—

The hon. gentleman then argued, that to treat these solicitations as they were treated in petitions to the House, as disturbances of the principles of the constitution for the profit of a few, was an injustice not more to the Catholics and their advocates, than to the Revolution itself; for it assumed that the Revolution had taken for its *principle* a narrow exclusion, which, in truth, it had but tolerated, as a special *exception* for a temporary danger. What was now sought was, not to introduce an anomaly, but to remove one. Do you ask, said the hon. gentleman, upon what merits the Catholics request this? I ask, upon what principles you refuse it? For on a question of liability to a penal code, warrantable only while there was danger from Catholic pretenders to the throne, the burthen of proof is not on us who defend, but on you who accuse. You say the code is not penal, but only exclusive; I say, that in principle there is no such distinction. The law is as much a penal one which restrains the advancement of your subjects, as that which restrains their fortune or their freedom. You thought the law penal which disabled the Catholics from holding land! What is the law which disables them from holding office? or where, in principle, is the distinction between the corporeal and the incorporeal freehold? It is said that, as we are a Protestant people, we ought to be represented by a Protestant parliament. Would a few Catholic members alter its character into a Popish one? No man, for instance, would approve a military parliament;—but the most constitutional denouncer of standing armies will not maintain, that the valuable presence of a few gallant members within these walls has given a military character to the House of Commons. What is our Protestant people; universally Protestant? No; Protestant as to the majority, Catholic as to a certain portion. Suppose that portion represented by Catholics; will not the parliament, as a whole, be still a Protestant parliament in the same sense in which the people to be represented are a Protestant people [much cheering]? But I should rely little on the one or the other constitutional theory, if there were danger in practice. You ask, where are we to stop? I answer, at the point which completes to every man the greatest share of freedom and of franchise which he can enjoy, consistently with the general good; there I will stop, and not sooner. Would I make the Catholic the established religion of Ireland? If that were expedient for the general good, I would; but if it be not, how does this remission bring that result a step nearer? If the Bill pass to-morrow, how will the subtlest Papist whom a Jesuit ever bred, find himself forwarded in his supposed design to subvert the establishment? I have never yet heard it shown how these dreaded Catholics were to make a beginning, nor even how their means would be augmented by the change. Their political power would be increased of course, but that increase would be more than compensated by the diminution of moral force, by taking from them their Protestant allies, who would have a direct interest in opposing any minority that should attempt the disturbance of the state. Their pecuniary means would be the same afterwards as now. Then, as to their numerical strength, the only other weapon, do you fear that when their religion should become no longer an unprofitable one, they would draw over the majority to their faith? Sir, theirs is not the sort of faith likely to make its way in these days; the tendency of our times is rather to believe too little than too much [Hear, hear!]. But be the times what they may, I should have little fear: for I cannot forget that the Catholic religion did once possess the supremacy which you suppose it to be seeking now, and was too weak to retain it. If the Catholics could not keep the ascendant when they had it, what reason has experience given us to fear that they will be too strong for us now, when beside the inherent force of reason which first overthrew the Catholic establishment, and on which every good Protestant must believe his faith to be founded, we have the additional strength of the establishment and of the monarchy in our favour? But there is no fallacy or injustice which is not pressed against the Catholics.—Sometimes they are called tools of the pope: and though there is now no Pretender, no reigning Buonaparté on whose work these tools can be employed, yet we must not trust men subservient to the pope; and then, when the pope himself has told you he absolves them from such unconstitutional ties, you turn round and say, the pope's permission is nothing, for the Catholics will not be bound by his authority. Sometimes we have a cloud of dark, dangerous tenets cited from this father, or that council, as if the doctrines of one set of men could be evidence against the character of another. Sometimes we have a cry about ancient persecutions, as if that excess had been peculiar to Catholic zeal—as if the Cranmers and the Calvins had not slain their tens of thousands—as if the subjects of 1821 were responsible for the blood that was shed in 1557 [great cheering].—The hon. gentleman, after exposing the fallacy of the notion that the arguments for the Catholics would authorize the admission of a Catholic King, proceeded to disclaim the idea of arguing on any grounds of abstract justice, apart from those of practical expediency. The amount, said he, of power or liberty which I would give to a Catholic or to any other, is just so much as he can enjoy without an overbalancing evil to his fellow-subjects, that is, so much as it is expedient he should enjoy, no more and no less. You say he has enough for conscience, and it is not expedient to give him more, for mere ambition. Sir, it might, perhaps, be questioned, whether the mere attempt to escape from a disqualification, partaking, as most disqualifications do, of the nature of a stigma, can properly be called ambition at all; if it can, it is ambition of a very negative, moderate character. But call it ambition, if you will. Is the political ambition of 4,000,000 of British subjects a sentiment for a British legislature to discourage? What would long ere this have become of our Protestant establishment, nay, of the country itself, but for that honourable ambition of our people, which has armed and protected them alike against foreign and against domestic oppression? If I thought that the Catholics were without it, I should hardly deem them worth the enfranchisement they seek [long continued cheering]. They are but few, you tell us, whose ambition is thus repressed; but what few are they? The noblemen and gentlemen of the land—the aristocracies of family, of talent, of fortune—the few without whom you govern but inconveniently; against whom, if they really were what your code presumes them to be, you hardly could govern at all; the few who lead the many, and through whom the many are aggrieved. Therefore, substantially and virtually, the many, as well as the few, are affected by your present deprivations [much cheering]. The honourable gentleman then adverted to the inconsistency of the exclusive laws in their present state; admitting the members of the Scotch Kirk and the Dissenters, all as much opposed to the establishment as the Catholics themselves, yet shutting out the Catholics. The right hon. gentleman behind him had recently expressed surprise to learn that these bills did no more than to place the Catholics on a footing with the Dissenters. The indulgence of the right honourable gentleman, a statesman moderate in all but his talents, must be his excuse for the irregularity of noticing the expression of a former night. The state of the law might be explained in a sentence. The Dissenters, as well as the church members, take freely the oaths of supremacy, and against transubstantiation. It was now proposed so to alter these tests as to let in, with the Dissenters, the Catholics too, the only non-conformists willing to take an oath at all who are now excluded by these oaths. The other test, the taking of the sacrament in our church, is to be left untouched. At present you relieve Dissenters from this test, by the annual acts to relieve them from the penalties of omission. Those acts will operate equally on the Catholics—so that, at any moment of danger, you have only to withhold the annual act, and then, without any violence or innovation, you bar alike against Catholic and Dissenter, the door of every office in the land, from the Treasury to the town-hall of a borough [continued cheering]. The right hon. gentleman (Mr. Peel) is afraid of introducing inconsistencies. There could be none to parallel those already existing. Your present frame of oaths, excluding Catholics, admits not only, as is fitting, the congregations of the Presbyterian kirk and of the Dissenting chapel, but, which on religious grounds is not so clear, those more philosophical professors who know only the religion of liberty and nature. Did the corporation of Colchester know this, when they petitioned a few days ago, for the preservation of the present system, because sedition, treason, and blasphemy were wielding, as they poetically say, their unhallowed sceptres? There is none so seditious, so treasonable, so blasphemous, whom the system they cling to does not admit. The disciple of the author of the "Age of Reason" makes no mouths at the oath about transubstantiation! He who has renounced the whole of Christianity, may quite consistently renounce any particular creed. He abjures freely the supremacy of the pope; for though he would rather be subordinate to a foreigner than to his native prince, all subordination and supremacy are naturally and sincerely odious to him. So, that while the code you uphold shuts out the Catholics, because, though true to their and our king, they are also true to their own religion, it admits those who are, as has been justly said, "true to no king, to no religion true."—It has been often said, that your oaths exclude only honest men, while they admit dishonest ones. You may say you believe none of their swearing; but what can you say of their refusal to swear? No papal dispensation operates there. You have had an opportunity of trying the sincerity of those applicants by a double test; by that of the oaths which they will take, and by that of the oaths which they refuse [Hear, hear!]. It is monstrous in us to say, we deem you men not to be trusted on your oath, and therefore we tender you an oath that we may detect whether you are to be trusted or no. But you are not consistent even in this inconsistency. The Catholic oath, which you affect to distrust at the table of this House, you act upon at your assizes, not only by trusting them as witnesses, because that you might explain away the necessity of the thing; but as jurors, upon the life and death of their Protestant fellow-subjects; nay, which some may think stronger yet, in questions of landed property between Protestant and Catholic. You are not more inconsistent as to the occasions of this partial confidence, than as to its objects. You have given the elective franchise to the body of the people; that is, you do already put your faith in the great mass of the uneducated population, influenced as they may be by their poverty, their prejudices, or their priests: they are safe enough. But the dangerous men to be shut out as the arch enemies of order and social polity, are the wealthy and cultivated ranks—whom their circumstances have placed above temptation—whom their intellect has placed above delusion—the followers of a monarchical creed—the hereditary aristocracy of the land. What would you say if any man were now for the first time to embody these contrarieties in a bill; declaring, that whereas it is expedient to exclude from trust and power, all persons not professing the established religion, it be therefore enacted, that no such persons be excluded except only the Catholics. That whereas the obligation of an oath is not deemed by Catholics to be binding on them, the only security against Catholics be henceforth the obligation of an oath. That whereas, nevertheless, it is expedient to conciliate as far as possible, those who are likely to use political power with judgment and moderation, the educated classes be deemed and taken to be for ever incapable of any such participation [repeated cheering]. You would not listen to the very reading of such a bill. And yet the mere sanctity of prejudice, the more than Popish superstition in favour of whatever has been or is, induces men to sanction a heresy against common sense, which originally they never would have countenanced, and to declare, by their solemn votes, that, absurd and inconsistent as this system on the very face of it may be, it is good enough for the appendage of that constitution which yet they profess to adore.—Sir, I will not touch upon the details of these bills; only, I cannot submit silently to be told, that the insertion of securities in the second of them, is a proof that their supporters think there are really dangers to be guarded against. We say there are none; that the securities are precautions against an impossibility, indemnifications against nothing; but if there be timid men who deem that impossibility possible—who think that nothing something—we give them these boons as securities, not against danger, but against their fears, lest by chance, in the Midland district, about which we have been to-night alarmed, in a spot too central for any light to have reached, in the valley of the shadow of Dr. Milner, there be found, among the weaker brethren of the Protestant communion, any one whose appetite or whose slumber may be disturbed by the terrors of one against seven of the Vicars Apostolic; of that one whose authority is cited to prove that the Catholics will not be satisfied with this concession. I do not wait to inquire whether they will be satisfied or not. Parliament deliberates on their claims, not that it may make a treaty, but that it may make a law. Still less, I hope, will the House be disheartened by the consideration just now urged by the right hon. gentleman, that former parliaments have refused this boon. I remember that the great historian of our legislation, lord Coke), of whose learning none is more master than the right hon. gentleman, has noted, for the encouragement, as he says, of worthy and industrious attempts, and with his words, the result of an unequalled knowledge and observation, I will conclude, "Never any good bill was preferred, or good motion made in parliament, though sometimes it succeeded not at the first, yet it hath never died, but at one time or other hath taken effect."—The hon. gentleman sat down amidst repeated cheers.

Sir *John Nicholl* said, that all parties must admit that the present bill went to work a great and important change in the constitution. He denied that it lay upon those who thought with himself, to prove the danger that would arise from admitting Catholics to all offices, except those of lord chancellor and lord lieutenant. On the contrary, he thought that danger was already proved by the old and recorded statutes of the realm, and that it lay with the proposers of this measure to show that the bulwarks which their ancestors had raised against strong and serious dangers could now with safety be removed. He denied that the acts excluding Catholics from office were enacted for any temporary occasion; on the contrary, they were permanently directed against the tenets of Roman Catholics. If an anti-catholic spirit did not pervade the whole of these laws, he did not know what their plain meaning was. They all expressly enacted tests against Catholic tenets, and he held these acts as explanatory of the constitution. It had been said, that this was not a paper constitution: it was a constitution by law established, and he knew not how he could better show what was that constitution, than by showing what was the law by all the great statutes of the realm. He had heard it named a Titus Oates constitution. But, whatever name might be given to it, he knew it was a constitution founded in the glorious reign of king William, whose first speech from the throne in 1701 was drawn up by the great lord Somers. It was this glorious constitution which was now sought to be altered. This was the first time they were called upon to make that alteration which he felt to be a great and fearful change in the law of the land. If they attempted to invalidate this paper constitution as it was called, they might at the same time repeal Magna Charta, and the Act of Uniformity. He contended, that this was a qualified constitution which, from its lowest, up to its highest office, required tests to the exclusion of Catholics. The alliance of church and state required the religion of the country as an indispensable qualification for holding offices. He concluded by protesting against the admission of this qualified oath, which might be met by a mental reservation, as any security for the constitution, or any justification for the admission of Catholics to an equal eligibility to office with Protestants in a Protestant state.

Mr. *C. Grant* said, that upon all former occasions, when the severity of the penal code had been relaxed, there was precisely the same denunciation of danger, and the same cry of alarm for the safety of the constitution in Church and State. The relaxations had, however, happily taken place, and the alarm was eventually proved to be unfounded. If the speech, then, of his right hon. friend were good for any thing, it must be carried much further than he intended it should be; for it went to prove that what they had hitherto done was wrong; that they ought to retrace their steps, and re-enact the whole body of the penal code of those laws which degraded Ireland, and tarnished the glory of an otherwise immortal Revolution. It was the misfortune of the spirit of legislation which characterised the legislature of that day, that it mixed up accidental events with permanent causes, and carried this error through so many of its enactments. The spirit of liberty seemed for a moment to be forgotten in the zeal of its enthusiastic admirers; and even the mild benevolence and charity of religion were for a moment forgotten in the ardour for its protection and support. The result of that mistaken system of legislation was most strongly felt in the two countries. In Ireland, it produced a government by the sword; in England, a government of freedom. In Ireland it ruled by the strong arm of overwhelming power, in England it ruled by the moral force of free opinion. Here it kept faith, and expelled those who had broken it; there it proffered faith, and at the onset, in the treaty of Limerick, violated that solemn pledge by the most flagrant breach of faith which occurred in modern times. His right hon. friend had endeavoured to show that, on the score of religion, that of the Catholic furnished, according to the statute law of the land, a permanent exclusion. But he had omitted to state, that so ineffectual was the barrier thrown up by these laws for the protection of the religion of the state, that a man possessing no religion was yet admissible to office. His right hon. friend, when he referred to these laws, should pause, to consider if they had been passed at the time with that coolness and deliberation which a sense of their importance should have dictated; or whether they were not carried through parliament in the tempestuous phrenzy of all parties who then had power, with a bustle of general acclamation, which was very ill-suited to calm and statesman-like deliberation. He denied that the period of the Revolution was that which ought to be fixed upon as the bright era of church history in this country. The Protestant church had had, long before that period, its ornaments and its martyrs: its Jewels, its Taylors, its Andrewses, and other great divines had previously written and bled in its service. These great divines never contemplated the permanent exclusion of the Catholics from an eligibility to power, as essential to the firm establishment of the Protestant church. When his right hon. friend talked of Magna Charta he had looked at him with great astonishment. When his right hon. friend was engaged in pronouncing an immutable exclusion of the Catholics from power in this country, on account of their slavish adherence to opinions uncongenial with liberty, he should at least have refrained from naming that great charter, of which Protestant England was so justly proud, by the recollection that it was extorted by a Catholic nobility from a Catholic king, backed by a Catholic pontificate. When the noble lord opposite (lord Nugent), on presenting the petition of the Catholics of England, on a former night, stated that only four of the names affixed to Magna Charta were now existing in England, and that the lineal successors of those four barons had signed his petition, the noble lord's declaration made every heart thrill at the mutability of human events, which brought before them, in the humble attitude of petitioners, as if to avenge the shade of king John, from whom the charter was unwillingly wrung, the successors of four of the great names which were affixed to that charter, humbly craving admission to those rights which their ancestors had nobly won for a whole people, but from which an ungrateful posterity had excluded them. His right hon. friend had said, it was a novelty in legislation to introduce an explanation of an oath different from the original sense in which it was understood, and to offer that explanation centuries after the oath was framed. Now, it was an assumption to say, that the explanatory qualification conveyed a different meaning from the original oath. The oath was never intended to deny the existence of a spiritual authority in this realm different from that of the established church. Every body knew, both then and now, that there were Catholics in the empire, and that they acknowledged the spiritual supremacy of the pope. What the Catholics admitted was a voluntary and spiritual jurisdiction of the pope: at the same time with this admission they tendered the most unequivocal proofs of their allegiance, and only called for the explanation which would enable them to take the oath of supremacy.—The right hon. gentleman then proceeded to refer in detail to the acts passed in the reigns of Henry 8th, Edward 6th, and Elizabeth, to show that, even in those days, the legislature only claimed a temporal and ecclesiastical jurisdiction. They never aimed at the extinction of the spiritual power of the pope. They did not claim any thing against the right of "The Keys," which was the spiritual term then given to the spiritual jurisdiction exercised by the pope. As a proof of this, he referred to a work called the *Reformatio Legum*, which was written in the reign of Edward 6th, to show, that temporal and secular power was merely aimed at by the then laws. The acts of Elizabeth claimed, in fact, no new jurisdiction. Their very title—"For restoring the ancient jurisdiction of the Crown,"—showed that; and lord Coke said, that the act of Elizabeth was merely declaratory; that it conferred no new right, but explained prior enactments. Another authority of equal weight was sir M. Hale, who spoke of the supremacy of the Crown as a common law branch of its prerogative. He would call the attention of the House shortly to the real object of the measure. Captious objections or the exercise of acumen in the discovery of faults would in no respect aid its accomplishment: it was to be met with that fairness and candour that became minds duly impressed with the importance of a subject in which the vital interests of the empire were involved. The question now was nothing less than this—on what principle henceforth the connexion between

England and Ireland was to subsist? Was it to remain in that state of *concordia discors* hitherto preserved, or was it to be a firm, solid, and satisfactory union? He appeared on behalf of Ireland; but implored the House, for the sake of Protestants as well as Catholics—for the sake of peace, order and tranquillity—for the sake of the happiness and security of posterity—to adopt a measure that would be received with gratitude by a generous and suffering people. Ireland and her Catholic population were placed in a peculiar predicament; they were not allowed to plead their own cause on the question; and, while the rights and privileges of foreign nations were acknowledged and preserved, surely the House would not think it less its duty to acknowledge and preserve the rights and privileges of Ireland. He asked, to what her present situation was to be attributed; and why she furnished an example of which history afforded no precedent? Because, in politics, the object of her rulers had so long been domination; in commerce, monopoly; in agriculture, restriction; in religion, intolerance and persecution. In politics, commerce, and agriculture of late, the system had been most beneficially changed; and though religion might be the last in the career of improvement, it would, perhaps, be the first in the production of amelioration. It was for the legislature to act, to decide, and to accomplish, and now, at length, though late, to fix the stamp of confidence upon the union between the two countries.

Mr. *Brownlow* said, he was one of those who thought that no securities which the Catholics could offer would be sufficient; but, even to those who were of another opinion, the present bill must be very unsatisfactory. It was said, that the appointment of a commission would be sufficient security against the interference of the Catholics, but he contended that such a commission would be totally inefficient, it would be no more than impanelling a jury of Catholics to decide on the merits of Catholics. The provisions respecting bulls would be equally inefficient. The Catholics would regard the acts of a commission as an interference of unholy hands in religious matters. Was it likely that a country like Ireland, which was almost exclusively Catholic, could be conciliated by such means? He believed that there existed in the breasts of the Catholics of Ireland a longing desire to make their church the established church of that country; and if they obtained admission to that House there would be one step gained towards their favourite object. If this were the case, as he maintained it was, he begged the House to consider what would be the situation of the Protestant church in Ireland. If he should have the fortune to sit in that House after the admission of Catholics, he should feel himself bound to support what he conceived would be the first motion they would introduce, namely, that the tithes now paid by Catholics to the Protestant clergy of Ireland, should in future be paid to the Catholic clergy only; for there was nothing harder, upon a *prima facie* view of the case, than that the Catholics should be obliged to support the clergy of a different persuasion. The hon. member (Mr. Twiss) had said, that he would not advocate the eligibility of Catholics, if he thought that there was likely to be a preponderance of Catholic members. Let him look to the population of Ireland, and he would find that the Catholic electors were as four to one compared with the Protestant electors, and therefore it was but reasonable to suppose that the return of Catholics would be in the same proportion. The Catholics possessed both property and influence in Ireland; and if they did not, who could say, in the change which capital was daily taking, where this great qualification was likely to rest? They were legislating for posterity, and to posterity they would be accountable for the vote of that night.

Mr. *Wetherell* said, that, in resisting the further progress of this bill, he was not about to contend for any factious or unsubstantial point, but for a leading and fundamental principle of the Protestant constitution of this country. In its preamble the bill asserted as a fact that there was a time when Catholics could take the oath of supremacy, and it was proposed therefore to restore that perverted and corrupted oath to its pristine condition, and to put such a construction upon it as to render it again palatable to Papists. This was an historical untruth. There never was a time when the oath introduced by the two statutes of Elizabeth was taken, or could be taken, by Roman Catholics.

Sir *J. Mackintosh* challenged the learned gentleman to point out in the preamble of the bill any such a statement.

Mr. *Wetherell* said, it was his intention neither to understate nor to overstate any thing; but he understood the bill to assert, that the Roman Catholics were always ready to take the oath found in the two statutes of Elizabeth, according to the meaning and interpretation introduced by queen Elizabeth into her admonition. It was further asserted, that it was an oath which at that time might safely be taken by Roman Catholics. After the death of Mary, Elizabeth had reinstated the reformation as it was in the reign of Henry 8th, but some strange gossiping tales got abroad, that the Queen claimed the supremacy in a different kind and quality to that enjoyed by her royal father: accordingly, an admonition was issued, addressed " to simple men," to counteract the notion that prevailed, that she demanded a right of personal ministry in the church—such as the christening of infants, the churching of women, and so forth: in this document she said, that " she did not challenge any power of administering in the church, wherein her subjects had been much abused by evil disposed persons." This was all the alteration made by her admonition and injunction on the oath of supremacy: " simple men" had been duped; and her object was to undeceive them, not to change the nature of the oath, which in the strongest and most comprehensive terms negatived the ecclesiastical supremacy of the pope of Rome. If a Catholic could take the oath then, there was no reason why he should not take it now. Upon this point he threw down the gauntlet, and dared any man to prove that he was incorrect in his assertion. If there were any persons who would be duped or imposed upon by the assertion of the preamble, he was one of the " simple men" who would not be deceived by it. Dismissing the preamble and its historical untruth, what did the clause provide? It ought only to have added to the oath the exception in queen Elizabeth's injunction; but, instead of doing so, it went a great deal further to say that no foreign power has superiority or supremacy which conflicts with the civil duties of the king's subjects, or with the civil rights of the king's courts: it was a direct claimer on the part of the Roman Catholics of what queen Elizabeth had disclaimed. For this reason he preferred the old oath to the new. It was a most preposterous and absurd misstatement.—But it was not merely to the oath, but to the principle, to the political and general consequences of the bill, that he objected. One political effect was, to admit Catholic legislators, and to enable them to fill the highest departments of the state, with two exceptions; and this could not be allowed without endangering the Protestant community. It was worth while to see how this object was carried into effect; how the Catholic servants of the Crown were to execute the duties imposed upon them. It was admitted that they were not to interfere in ecclesiastical affairs: that they were not to advise the Crown as to any ecclesiastical appointments: so that this enabling, capacitating, authorizing bill, disabled, incapacitated, and unauthorized Catholics with regard to all spiritual concerns. Suppose, for instance, that one of these much-injured and long-suffering noblemen were appointed secretary of state, or premier of an administration, he could not recommend a bishop, or fill up any ecclesiastical preferment within his gift or patronage. The French had a Ministre de Culte; but such an officer was unknown here; and the Catholic premier could only be half a minister, with half the power and half the duties that would belong to a Protestant. Thus this bill, pretending to erect a building, only half completed it, and left it open, naked, and unserviceable. This great and gross defect, this singular absurdity, was not to be laid to the charge of the eloquent gentleman who had introduced the bill: the necessity of the case compelled the insertion of it. True it was that, in such a case, ecclesiastical preferments were to be regulated by a commission, and that commission was to be named by the Crown; but, was it to be supposed, that the premier would not have his influence in this respect, and after all accomplish what it was the intention of this bill to avoid?—He would now direct the attention of the supporters of this measure to the privy councillor's oath. By that oath, the privy councillor was bound not to advise the monarch on this or that particular measure, but on every question connected with the well-being of the state. What was the consequence? Why, if this measure were carried, they must alter, not only the oath imposed by the statute of queen Elizabeth, but the privy councillor's oath also. But, if the Roman Catholic did interfere in ecclesiastical matters, what penalty was meant to attach to the infraction of the law? Was it a fine of 6*s.* 8*d.*, or of 3*s.* 4*d.*? He would contend that the supporters of the bill, who considered those exclusions as contrary to the rights of the subject, and injurious to that fair and honourable ambition which no man more ardently admired than he did, could not give to the Roman Catholic an exalted situation in the state, without expunging the oath of Elizabeth, and entirely altering that administered to a privy councillor. With respect to the interference with ecclesiastical authority, that point could be illustrated in a very easy manner. Suppose a Roman Catholic held the office of lord chamberlain, he could not even appoint a chaplain in ordinary to his majesty: so that whatever ecclesiastical duty was attached to the office, the Catholic liberators took care to transfer from him, and to impose the performance of that duty on others? Again, what would be the effect of the bill with respect to Catholics sent out to govern any of our colonies? It would be described as a very hard thing that a man who had distinguished himself at Waterloo, should be prevented, on account of his religion, from going out as governor of Jamaica, or of any other of our West India possessions. But if he were sent out under this bill, what must they do with him? Why, he must proceed to his destination in one frigate, and his ecclesiastical coadjutor in another. The governor of a colony represented the sovereign: He had ecclesiastical power; in fact, he was the head of the church in that colony. Whatever power the king possessed in ecclesiastical matters, he, representing the king, had a right to exercise. "But," said gentlemen, "how unjust it is that a brave man, who has lost a limb in your service, should be debarred from proceeding to the colonies—from enjoying a splendid retirement as the reward of his services!" And how did those gentlemen propose to get over this injustice? Why, by placing the Roman Catholic in the possession of an office, the duties of which he could not perform! But what was likely to occur at the council board? It was well known that various disputes, connected with ecclesiastical matters, were referred to it for decision. The consequence must be, that, whenever a case of an ecclesiastical nature was called on at the council board, Mr. Buller would be compelled to say to any Roman Catholic privy councillor present—"You must leave the board, or you will be guilty of an infraction of the law." This was the mode in which gentlemen intended to conciliate the feeling of the Roman Catholic! Not a day would pass without the occurrence of some circumstance far more grating to the feelings of the Roman Catholic than any thing which could happen at present. It would be necessary, drawn up as this bill was, to have two individuals in every office in the state; one to perform the civil, the other to take care of the ecclesiastical duty. They were earnestly called upon to admit the Catholics to political power. But, were they to admit them at the hazard of overturning all the old established offices in the state? As the bill stood, they could not be admitted to the old offices: new ones must be formed for them. Gentlemen who were in favour of their claims would say, "We wish the Catholics to participate in existing offices;" but if they were placed in those offices, they could not perform the duties attached to them.—It must be conceded to him, that no Catholic could come into parliament without possessing the right of originating new laws. He would not stop to inquire what number of Catholics were likely to be elected, although he did not think with a right hon. gentleman that not more than 24 would be likely to gain admission. Those who supported the bill asked, "What danger can be apprehended from a few Catholic members?" The number likely to be returned was described as exceedingly limited—*rari nantes in gurgite vasto.* But he would remind the House, that 24 members might carry a great question. He would not argue from the vices but from the virtues of the Catholic body; and he would say, that if the same power were given to them which the Protestants enjoyed, if they were honest men, they would endeavour to promote the interests of their own church. They might even conscientiously act against the Protestant church which they were taught to consider less worthy than their own. Gentlemen argued that there was a great inconsistency in granting the elective franchise to the Roman Catholics, and refusing to let them sit in parliament. He could not see any inconsistency in allowing them to elect Protestant representatives, although, for the safety of the constitution, they were themselves excluded from parliament. But the advocates for the bill said, "You have conceded a great deal, and you must concede a great deal more." Many gentlemen, forming a galaxy of eminent orators and statesmen, had censured lord Somers, who, they observed, had granted something at the Revolution, but not enough. Let those gentlemen, however, take care, lest the same ridicule which was now cast on lord Somers might not hereafter be applied to themselves. Perhaps it would at a future period be said of them—"It is true, they have granted a good deal; but they have not granted all." Such would be the language of those who would not be satisfied unless every thing was conceded to them, and who would exert their utmost power to arrive at the attainment of their wishes—"Nil actum reputans si quid superesset agendum." He had no doubt that those who introduced this bill meant that it should be an *ultimatum*—a final measure. But who was to bind posterity? He did not think that, in point of fact, they were laying down a fixed and irrevocable settlement; but, on the contrary, that they were laying down a ground on which other demands and concessions were hereafter to be made. At one period, individuals were examined for the purpose of learning what concessions would put an end to all further demand? One of the persons thus interrogated had said, that emancipation was not thought more of than the drop of ink with which the word was written; but if it went to relieve the Roman Catholic from the burden of tithes, it would be considered as worth something. What were gentlemen doing? They were making a bargain between two parties, without knowing whether one of those parties would abide by the arrangement. He would appeal to the noble lord (Castlereagh) whose diplomatic talents had been so serviceable to his country, whether, in the course of his experience, he had ever heard of a contract having been drawn up between two states, when it was not known whether one of the two contracting parties would agree to the terms proposed? Looking to the papers connected with this question, he found that there was no one to represent the pope, no one to represent the cardinals, no one to represent the bishops; in short, no person to represent one of the parties, namely, the clergy, who were deeply interested on this occasion: So that when parliament put the wax on one side of the agreement, the party who had not been consulted might turn the other side to the fire.—Under all these circumstances he looked upon the work not as done, but only as beginning to be done. Those who opposed the bill were taunted as narrow-minded and illiberal men; but he would quote individuals; and the man could scarcely be accused of illiberality who thought as they did. Mr. Locke, a writer of sober mind, never hesitated to say that the profession of the Catholic religion in this country was a matter of toleration. Again, if they looked to writers of a different class, who indulged in visionary and theoretical systems of government—such men, for instance, as Hobbes, Sidney, and Harrington, all of whom were liberal in their sentiments—they would find that every one of them laid it down as a principle, that a non-conformist to the national church was not to be admitted to the national councils or to the national parliament. Every one was aware that in republican Athens a non-conformist to the national religion was not allowed to sit in the senate; and in republican Rome, the man who did not profess the national religion was not employed in the business of the state. Whether they examined the sober opinions of lord Somers and Mr. Locke, or the less sober sentiments of those visionary writers to whom he had referred, it would be found, that the same principle of exclusion was maintained by them all. Such was the opinion of every respectable writer on the subject—with one exception. He alluded to Dr. Paley, who observed, that Roman Catholics and Protestants might meet in parliament in as friendly a manner as if they assembled to discuss questions of history or philosophy. Now, he could not conceive that Protestants and Catholics could meet in parliament precisely in the same way as if they assembled to form a *hortus siccus*, or to discuss some point relative to the natural history of birds, beasts, and fishes. Such questions as these were not calculated to excite those passions which questions connected with station, property, rights, and immunities must produce. In addition to those whom he had mentioned as holding the doctrines which he professed, he might also name lord Rosslyn, lord Auckland, and lord Bolton; the two latter noblemen having held the office of secretary for Ireland—individuals, on whose opinions he would place as much reliance as on those of the right hon. gentleman below him. They were informed that Mr. Fox, Mr. Whitbread, sir S. Romilly, and sir A. Piggott, were favourable to the Catholic cause; but when he mentioned lord Somers, Mr. Locke, and the different writers he had previously adverted to, the balance as far as names went, was entirely on the other side. The hon. member for Knaresborough, whom they all considered, on subjects of history, as a sort of professor in that House, told them, that in speaking of the power of the pope, they were not to argue from occurrences that had taken place in barbarous times. He would not detain the House with any allusion to the Spanish Armada, to Titus Oates's plot, or to matters which had happened at a very remote period; but he would refer to what had occurred in 1768, only about twenty years before the French Revolution, when the pope excommunicated the council of the prince of Parma. The French government took up the subject, and the French parliament in 1768, and the French king in 1772, made it high treason to hold any communication with the see of Rome. Now, what were they going to do? They were going, by the other bill, to legitimate, in the see of Rome, that right of communication—that right to carry on a secret correspondence —which, in 1772, was made high treason in France. In 1791, the French National Assembly decreed, that no such correspondence should be carried on with the see of Rome. So that they were about to declare, that no danger was to be apprehended from a system, which one of the most powerful monarchies in Europe deemed it necessary to forbid, lest it should operate prejudicially to the state. He considered this bill as eradicating from the British constitution a principle, the rooting out of which would sooner or later involve the country in disturbance. He said sooner or later; for it would be found, that, because they had given a great deal, much more would be demanded from their posterity. The principle of this bill evidently was, that it should go to a given length, and that hereafter this given length would be enlarged and amplified. He saw nothing like finality in the bill: on the contrary, he viewed it as an opening through which future demands were to be made.

Sir *James Mackintosh* said, that if ever a right existed to complain of the course of a debate, it certainly was on the present occasion. They were now called on to discuss an oath intended to be administered to his majesty's Roman Catholic subjects, and, in the course of four hours discussion, not a remark had been made on the question before the House, except what had fallen from his right hon. friend who spoke first. The other clauses of the bill had been discussed; the general principle had been discussed; even the other bill, though not before the House, had been discussed; but the clause which ought to have been considered had been passed over almost in silence. Now, this clause, if carried, did not open the door to the admission of Roman Catholics to seats in that House; for insuperable difficulties still remained. It did not decide from what offices Catholics should be excluded: it left to the House a full right to exclude them from parliament, and also from office, as far as the necessity required, and good policy warranted. But he demanded what would be the effect of this attempted conciliation, if the clause were negatived? It would immediately close the door on all conciliation. They could not then take office in this country; and, let it be remembered, that they could not take office, even if it were carried, except under such regulations as parliament chose to impose. The clause pledged the House to nothing; but its defeat would close the door to all concession, however just and necessary. He would not follow the learned gentleman through the excursive range which he had taken. He would not consider what the pagan establishments of Athens and of Rome had done. He did not think it was right to state the conduct pursued by those who prevented all Christians, merely because they were Christians, from holding office, as a fit example for the imitation of a Christian community. He did not mean to touch on the mass of information which the learned gentleman had extracted from the folio report of an hon. baronet (sir J. C. Hippesley); and he believed that the learned gentleman was the only man in England who had the patience to read the work of that individual. But he was sure that if the learned gentleman had read Mr. Burke's letter to Mr. Baron Smith, he never would have stated, that Mr. Burke was opposed to the claims of the Roman Catholics; and the learned gentleman had thought fit to quote visionary writers, as he termed them, on the occasion; which was rather extraordinary for one who professed himself to be a practical man. He had called the attention of the House to the opinion of Mr. Hobbes, who was undoubtedly a very ingenious man. The learned gentleman had, however, spoken of him as an individual of great liberality, and as a determined friend of liberty. This certainly was the first time he had ever heard him so represented. He had, on the contrary, reduced despotism to a system, and made slavery a philosophical creed. He was the advocate of the most pernicious principles. In his Leviathan, he had treated every departure from the religion of the sovereign as a political crime. He had reduced to a system, not only persecution, but persecution of the worst kind. And the learned gentleman called on the House to depend on those visionary and speculative writers, instead of being guided by the opinions of all the great statesmen who had flourished in this age! Mr. Pitt, Mr. Fox, sir G. Savile, Mr. Burke, Mr. Windham, and lord Melville (who, above all men, was untainted by any visionary or theoretical views), were all favourable to the claims of the Roman Catholics. The last-mentioned individual had measures of conciliation near his heart, and contributed, in 1793, to their success. Every statesman of the first class, who had flourished in this country for the last fifty years, had been devoted to the cause of the Catholics; and yet these were the authorities against whom the learned gentleman had arrayed a body of political speculators! The learned gentleman had alluded to the examination of an individual who had delivered a very bold opinion with respect to Catholic emancipation? Who was that individual? Was he a Catholic bishop? Was he a Catholic at all? No, he was a Protestant, and no other than Dr. Macnevin, a member of a proposed directory, of an intended Irish republic. This was the gentleman who, with the liberal Hobbes and the practical Harrington, was opposed to the great men whom he had mentioned! The learned gentleman had also alluded to certain noblemen whom he stated to have supported the doctrines he laid down. One of those noble lords (lord Bolton) was, he supposed, a wise man; and of course, being referred to by the learned gentleman, was a man of some celebrity; though, for his own part, he was inclined to doubt the fact, since he had heard of him for the first time that night. Much curiosity was excited on that side of the House to learn who this unknown celebrated personage was, with whom the learned gentleman had met in the course of his reading; but little information had been obtained on that subject. The learned gentleman was guilty of great negligence in reading a clause on which he had descanted, as well as of great dogmatism, in making the observations which he had offered on it. If he had read the preamble carefully, he would have found that it contained no such matter as he had stated. It was there set forth, that his majesty's Roman Catholic subjects were always ready to take the oaths of allegiance and abjuration, but that they entertained scruples with respect to the oath of supremacy. This was the substance of the passage in question, which the learned gentleman had wholly misrepresented. The learned member had dwelt upon the direful consequences of a Catholic's becoming governor of Jamaica, or of any other British settlement. He would be glad to know what was, even under the present system, to prevent such a consummation. In what chapter of the constitution did the hon. member find that power with which he had thought fit to invest the premier, of advising the Crown in all matters relative to ecclesiastical preferment? The learned member talked of the inconsistencies to which the bill before the House would lead, as if the existing arrangements with respect to the Catholics, were the most complete, entire, and well-concocted that wisdom could devise, instead of a mere jumble of incongruities—a mass of matter formed from a selection of every legal and constitutional anomaly. Talk of inconsistencies under the *régime* proposed! Look at the present system. Was not the elective franchise permitted to Catholics in Ireland, and denied to Catholics in England? Were not the highest military offices open to Catholics; and were not the lowest civil offices shut against them? The bill proposed to remove a thousand inconsistencies; and it was objected against it that it would leave half a dozen. Nor was the learned member content with arguing against the Catholics: he had put himself in their place, and judged of their feelings and opinions; and being so in their place, he fancied that the irritation of the Catholic body would be greater under the new system than it was under the old. With infinite deference to the sentiments of the learned member, he would, upon that particular point, prefer taking the opinions of the Catholics in person. He would take the word of the duke of Norfolk in preference to the learned gentleman, who said he would rather be admitted to parliament and to office, under the proposed restrictions, than not at all. Then the House had heard something about the power of four-and-twenty Catholic members, if they thought fit to hang together, to turn the scale upon any division of the House. Why, upon a general question no doubt they might do so; but, upon a general question they could have no interest in doing so; and the moment it came to a question between Protestants as Protestants, and Catholics as Catholics, the little confederacy of 24 would bring a majority of some 620 about their ears. The real question for the consideration of the House was, whether the oath proposed by the bill to be administered to the Catholics did or did not afford as much security for their obedience to the sovereign as supreme head of the church, as an oath could give, or as a civil government was entitled to require.

Mr. *Grosset* spoke against the principle and provisions of the bill, and said he conceived the oath of Elizabeth to which the admonition annexed to the injunctions referred, and which was sanctioned by the act passed in the fifth year of her reign, had already received a legislative explanation, but one very different from that which seemed to be given to it by the present bill; because the Irish House of Commons, in 1642, resorted to that very oath to which the admonition referred, for the express purpose of excluding Roman Catholics from holding seats in their House, as fully appeared from the resolutions recorded in their Journals, in June 1642. The hon. member then read an extract from their Journals, reciting, "forasmuch as many members of this House, betraying the trust reposed in them by the commonwealth, have treacherously shown themselves privy conspirators and actors in this horrid rebellion; it is ordered—that no person, now a knight, citizen, or burgess for this parliament, and now present, shall be deemed a member of this House any longer, unless he shall forthwith accept and take the oath, &c. of supremacy of Elizabeth."

Mr. *Goulburn* thought there was a great inconsistency in this measure, inasmuch as it went to require from the Catholic, of whom the state might be jealous, a less binding oath than that which was imposed on the Protestant who was not an object of suspicion. A course was thus taken that seemed opposed to all ordinary legislation; as a great security was demanded from the innoxious, while the security exacted from the object of suspicion was limited and diminished.

Dr. *Phillimore* considered the objections urged against the clause to be, to say the least of them, hypercritical. Much had been done by the mover of the bill originally in consulting the wishes of those likely to be most affected by it; and the alteration which he had proposed in the form of the oath, arose from the disinclination avowed by the Catholics to subscribe to a more general and unrestricted oath. In reply to the learned member who charged the author of the bill with recording an historical untruth in the preamble he would meet the charge with a direct negative. All members of that House were, as well as all high official persons, compellable to take the oaths—first of allegiance and abjuration; 2dly, of supremacy; and 3rdly, that against the doctrine of transubstantiation. Now, the Catholics had never hesitated to take, when circumstances rendered it expedient, the oath of allegiance and abjuration; the difficulty always had been in taking the oath of supremacy. The learned member here took a review of a controversy recorded by bishop Burnet respecting the objections made by Catholics in that day to take the oath of supremacy. Throughout the controversy queen Elizabeth had expressed herself satisfied that the Catholics should take the oath in the qualified sense; which in fact was very nearly the same sense as that in which it was intended they now should take it. The consequence of this liberal line of conduct was, that the Roman Catholics of that day not only frequented the established Church, but actually partook of the sacrament. He felt that he was borne out by this example in supporting the clause.

Mr. *Becher* said, it might appear strange, looking to the arguments which had been addressed to the House, and to the authorities by whom those arguments had been employed, that any doubt should remain upon the question; but he had not now to learn, that men brought up under a particular system—the advantages of that system by experience being known to them—were slow to exchange it for some novel theory, the merits of which might be problematical. England however, did not now stand alone; and was therefore not entitled to consult exclusively, her own convenience. She was connected with a country in which Catholicism certainly was not upon the decline; and in which, as certainly, the existing system could not be called a beneficial one. That system could scarcely be held beyond improvement under which a vast community laboured under the most galling privations—under which an individual might almost be left in doubt whether his exclusion arose from his being a Catholic, or from his being an Irishman. It was but justice in England to assimilate the state of Ireland as much as possible to her own. It was hard to withhold from that suffering country the constitution which had made England what she was. In addressing a committee of that House, he should not be called upon to detail the aggravated hardships which the operation of the existing laws imposed upon Ireland. He was addressing those who knew and valued the British constitution, and who would hold the privation of a blessing as tantamount to the infliction of a punishment. Since the last time this great question had undergone a discussion, the conduct of the Roman Catholics had been most exemplary. They had thus made good all the predictions of the advocates of their cause. He trusted most sincerely that this bill would pass; or, if it did not, that they who prevented its success would tell the House by what process, short of changing the religion and sentiments of a whole community, they hoped to obtain that concord which this bill was calculated to effect, and when the period would arrive, at which the unmerited sufferings of the Irish nation were to be terminated.

Mr. *Peel* said, that he should confine his observations to the question immediately before the committee; namely, whether the clause should stand part of the bill? It did not follow, according to his conception, that any objection to this clause applied to the principle of the bill; which principle might be discussed upon bringing up the report, or upon the third reading. The principle of the bill might, indeed, be admitted, while the present clause was resisted; and therefore the rejection of this clause could not be fatal to the bill; for this clause contained a proposition as to the oath of Supremacy, which was not inserted in the bill of 1813; he meant as to the temporal and spiritual supremacy of the pope. Hence, he argued, that the advocates for the principle of the bill were not pledged to this provision. His serious doubt upon this proposition as to the oath of Supremacy was, that while it consulted the conscience of the Catholic, it was decidedly against the conscience of the Protestant. Since the Reformation, the spiritual as well as the temporal supremacy of the pope had been disclaimed by the Protestants; who had indeed abjured all foreign influence upon the subject of religion. From the period of the Revolution, the Catholics were also required to abjure all foreign supremacy. But now it was proposed to establish a different and quite a new system, by omitting the word "spiritual" in the oath of Supremacy. By this omission then, it was proposed for the first time for centuries, to legalise the admission of the pope's spiritual supremacy in the British empire. The insertion of the provision alluded to, would be a direct recognition of that supremacy. By no former legislative act, had any such recognition been made or implied. Neither in the act of 1792 for granting the Catholics the elective franchise, nor in the act for establishing the Catholic college at Maynooth, had any such recognition appeared. In the latter act, indeed, Drs. O'Reilly and Troy, both of whom held espiscopal stations in the Catholic church of Ireland, were denominated merely doctors of divinity. By the act of 1792, no Catholic hierarchy was acknowledged in Ireland, notwithstanding the extent of civil privileges granted at that time to the Catholic body. There was, indeed, no mention or recognition made of bishops, or any other Catholic dignitaries. Yet, by the proposition before the committee, parliament was for the first time called upon to recognize the existence of such an authority; and if this proposition were acceded to, how could the Protestants afterwards deny the spiritual or ecclesiastical authority of the pope in this country? So that the very act which was to release the Catholic from the denial of a foreign supremacy, went to subject the

Protestant to its implied admission. But he really could not conceive how any conscientious Protestant could subscribe to such an oath as was at present proposed. The right hon. gentleman then proceeded to observe upon the reference made to the authority of divines by his hon. and learned friend, with respect to the spiritual jurisdiction of the pope. It was said, on the authority of archbishop Bramwell, that the oath of Supremacy in the reign of Elizabeth did not interfere with the spiritual power of the pope, and that in his work called "Schism Guarded," he contended for that opinion; but on the authority of this very Bramwell, that oath always excluded the spiritual authority of the pope. There were three kinds of spiritual authority. The first was the power of orders, in which consisted consecration, ordination, admission to orders, &c. The next was the power of jurisdiction *in foro conscientiæ*, and it was instanced in this—"that Christ gave Peter a power to bind and loose *in foro conscientiæ*." There was another power of the pope, which was partly political and partly spiritual, or that *in foro externo*. The hon. member for Knaresborough said, that the power *in foro externo* was of a co-active nature. That there were many things which entered into its composition, in the opinion of Catholics, he could not but admit; but he believed they would not allow that part of it belonged to the king, and the other part to the pope. It was said, that whatever our laws divested the pope of, with regard to that third power, they invested the king with; but they never invested the king with the spiritual jurisdiction. If our statutes were appealed to, would it not appear that the power over reservations, commendams, dispensations, licenses, faculties, &c. were taken out of the pope; and would Catholics ever admit this? He knew there was a difficulty, and a melancholy one, on this point. Archbishop Bramwell said, that Henry the 8th committed no schism; that the Church of England was not schismatic in departing from the pope's authority—but the pope had been schismatic, in departing from the original jurisdiction of the church. Was not the difficulty in this case, then, such as to make it very hard for a Protestant to take the oath conscientiously?—The right hon. gentleman then adverted to the act of 1774, called the Quebec act, passed at a time when lord Thurlow was lord-chancellor and lord Loughborough solicitor-general. By that act the Roman Catholic religion was legally established and recognised in Canada; but it was expressly stipulated that the ecclesiastical authority of the king of England should be recognised. His argument then was, that this oath could not conscientiously be taken. He did say, that they must change the oath of Supremacy, which had been acted upon for so many years, before the Protestant could conscientiously subscribe to it; and that, if they changed that oath of Supremacy, they must change the whole policy of the constitution.

Lord *Castlereagh* could not help thinking that, from the manner in which his right hon. friend had treated this clause, he would not contend against the next clause, namely, the repeal of the Test against Transubstantiation. It might be a matter of debate, indeed, whether Catholics could take the Protestant oath of Supremacy, without doing violence to their conscience; but on the test against transubstantiation there could be no doubt at all. As to the oath of Supremacy, it was the same substantially as that now to be taken by the Catholics. His conviction was, that if they could be prevailed on to take the oath of Supremacy, the most weighty objection of all would be removed. The oath as it was originally, or as now modified, was substantially the same. If it could not be disputed that the words of the oath guarded against all mental reservation and equivocation, he did not see that any solid objection could be taken to the clause. He could state positively, that a considerable number of Catholics did take the oath of Supremacy at the late election. After some observations on the power of the pope and the oath of Supremacy, the noble lord said, that nothing ought to interfere to prevent all classes of subjects from paying an undivided allegiance; and above all, they ought to get rid of that bugbear which had had so unhappy an effect upon the public mind during the last century, and which had made the country subject to so much false alarm and unmanly apprehension. They ought now to adopt that wiser as well as more liberal plan, which, instead of separating a large class of the community from the rest of their fellow-subjects in political sentiment and situation, would give the Catholic an interest in the state, and the state a confidence in the Catholic.

The committee divided: For the Clause, 230; Against it, 216: Majority, 14. The chairman then reported progress, and asked leave to sit again.

HOUSE OF COMMONS.

Monday, March 26.

ROMAN CATHOLIC DISABILITY BILL.] The House resolved itself into a committee on this bill. The clause respecting the Declaration of Transubstantiation being read,

Sir *T. Lethbridge* said, that he had always looked upon the declaration against transubstantiation as an insurmountable barrier to protect the constitution against Catholics. He would not say that if this bill passed there would be an end to the constitution; but he would say, that if this bill passed they must, in justice to the Catholics, repeal the Corporation and test acts, and then indeed there would be an end to the constitution. He recollected the evils which England had suffered under Catholic domination and trembled at the repeal of laws which provided against their recurrence. It was in vain to talk of general satisfaction with these bills, when, before two stages were gone through, the higher order of the Catholic clergy were protesting against them. He was ready to give the Catholics full credit for an unabated attachment to their religion; but he must be allowed to say it was a religion of absurdity. The best proof of its intolerance would be found in the fashionable new Spanish constitution. This measure was introduced in a vain and false spirit of liberality; and they had now the clearest proof that they could never satisfy the Catholics, without violating the constitution. He had no objection to let Catholic counsel have silk gowns, though he could not suffer them upon the bench. But how would that benefit the great bulk of the people?

Mr. *Martin*, of Galway, contended, that the religion of Roman Catholics of the present day was not of that intolerant character which the hon. baronet attributed to it. He had seen marriages in Ireland between Roman Catholics and Protestants: he had seen the Roman Catholic wife bringing up her child in the religion of her Protestant husband. The argument which Dr. Milner and his friends were so fond of putting in the front of their battle was, that this bill would destroy the Catholic religion; whereas the fears of the hon. baronet went to its too great encouragement and protection.

The clause was agreed to.—Upon the reading of the third clause, that nothing in this act should extend to repeal any of the laws in force respecting the Protestant succession to the throne, the uniformity of public prayers, or the administration of the sacraments in the united episcopal church of England and Ireland,

Mr. *Bankes* rose to make his promised motion, for the insertion of a clause in addition to the above, providing that nothing in this act should extend to dispense with or repeal any of the laws now in force, excluding Catholics from sitting or voting in both houses of parliament. There were, he was aware, two parties to whom he had to address himself; one who thought that the measure should be unaccompanied by any qualifications or restrictions; and another, which formed, he hoped, the larger party in that House, who combined with a wish to make every due concession to the Catholics, a desire to obtain adequate securities for the maintenance of the Protestant establishment. Upon the former of these parties, he could not flatter himself with being able to make any impression, and therefore he had only to request their indulgence. But he begged the particular attention of the latter, while he stated the grounds of his motion; because he felt that if the bill were passed into a law, without the provision which he had to submit, all the other restrictions or securities which might be provided would prove utterly nugatory; for if such a degree of political power were put into the hands of the Catholics as this bill proposed, it would be quite absurd to suppose that they would not act upon the maxims and principles which had always characterised the professors of that religion, or that they would not use this power for the purpose especially of repealing any restrictions disagreeable to their clergy. He was glad to find that the right hon. baronet who had undertaken the patronage of these two bills was disposed to propose, that the bill of Securities should be engrafted upon that for Concession. This, he thought, ought to have been the case from the beginning, in order to guard against the danger of having the concessions passed without those securities, against which it appeared that some of the Catholic clergy and others, who had a lead among the

Catholic body, were now raising a loud outcry. He was aware that the author of the bill had stated at the outset, that he saw no objection to the incorporation at present proposed; but yet he could not undertake to say, whether the proposition of the right hon. baronet resulted from choice or necessity. His right hon. friend (Mr. Canning) and others, had expressed an opinion, that parliament should pass a measure of this nature without any regard or reference to the judgment of the Catholics, with whom it was not for that or the other House to enter into any treaty or negotiation, but to accede to a measure of necessary public justice and expediency. There might be in such language a vast deal of dignity; but he must with deference say, that it did not appear to him to contain much of common sense. It would be recollected that the Catholics, who composed a large proportion of our fellow-subjects, were partly, at least, under somewhat of foreign influence, and that it was rather inconsistent to maintain that their judgment or wishes should not be regarded as to the merits of this measure; while it was on the other hand alleged, that that measure was mainly desirable as a means of conciliation, and as calculated to satisfy all parties. Yet it was evident, that many of the Catholics whom it was hoped to conciliate, were now forward to repudiate, condemn, and reject the provisions of the bill for providing some securities for the Protestant establishment. This was the known disposition of the Catholic clergy, who had notoriously more influence over the laity than those of any other church in the world. Upon the opinion of the Catholic clergy, then, it must depend, whether a measure of this nature would be received as a boon, or regarded as an act of persecution; and that opinion was pretty well understood. Unless, indeed, the Catholic clergy of Ireland should depart from all the principles which they had solemnly declared but a few years ago, it was impossible to doubt of their hostility to the provisions of the second bill; for those clergy declared the most determined objection to give the king any power of original nomination or direct negative upon the appointment of Catholic bishops or other members of the Catholic hierarchy. If, then, the Irish clergy had not changed their sentiments, the House should consider whether, in acceding to the measures under discussion, it might not, instead of promoting peace and harmony in Ireland, contribute rather to produce agitation, dissent, and even tumult in that country.—It would be remembered that the bill of 1813 was abandoned, because the clause was negatived for admitting Catholics into parliament; but that abandonment proceeded from the authors of the bill itself, and rested upon grounds which he could not at all comprehend; especially as the bill without that clause contained many valuable concessions to the Catholic body. For all those concessions he was a ready advocate: but beyond those concessions he was not prepared to go one step. He would never agree to have Catholics admitted to either House of Parliament; because he thought their exclusion most essential to the security of the Protestant establishment. He would always act upon the measure of a great statesman long since no more, that those men should not be admitted to partake of the powers of any system, whose principles must prompt them to desire the overthrow of that system. The principles of the Catholic body did not appear to have undergone any change; and if no such change had taken place, it was absurd to suppose that if the professors of this sect were put in possession of political power now, they would act on different principles from those which had actuated their conduct when in power heretofore. By this bill it was proposed to invest the Catholics with power, which he could not contemplate without alarm. If it were passed, Catholic representatives were likely to be sent to that House from a decided majority of Irish counties, as well as from some English boroughs. When the elective franchise was granted to the Catholics in 1793, that concession was understood to be conclusive. Yet it was now held, that the grant of a right to sit in that House was the necessary consequence of the former concession; and, if Catholics were admitted into parliament, what should prevent the proposition that that religion, which was embraced by the great majority of the Irish people, should be the established religion of that country? It was, indeed, a principle laid down by a number of accredited writers, among whom were some distinguished Protestants, that the religion of the great body of the people in any state ought to be the established religion of that state; and if the Catholics were invested with the political power proposed by the present bill, what was to prevent them from pressing the adoption of that principle? But, if Catholics were admitted into parliament, what guarantee was there for the continuance of the Test and Corporation acts, which Blackstone called the bulwarks of the constitution? The Catholics would have a common interest with the Dissenters in producing the repeal of those acts; and it would be recollected, that in 1790, when that repeal was last proposed, there was only a majority of twenty against the entertainment of that proposition. Let the committee also consider whether, if Catholics were invested with political power, it was possible that they would be reconciled to the payment of a double ecclesiastical establishment, or that they would not endeavour to get rid of that burthen, especially as in such an endeavour they would be seconded by the other Dissenters? But the dangers likely to result from the adoption of such measures were quite palpable and alarming as to Ireland. He should not, indeed, be much surprised, if this bill were passed, soon to hear of propositions in that country for the alternation of the dignities and emoluments at present enjoyed by the established church between the ecclesiastics of that church and those of the Catholic communion. With respect to the oath itself, as it now stood, a great deal had been said. It should be recollected, that oaths were frequently rendered nugatory, by the mode of interpreting them; and it might not be improper to consider in what way the oath proposed by the Irish parliament in 1793 was explained. The words of that oath appeared too clear to be misunderstood. They were these: "I do solemnly swear not to exercise any privilege to which I am or may be admitted, to the disturbance of the Protestant religion and government of this country." Yet the interpretation given to this oath was, that they were bound not to exercise their privileges in any way which might violate not only the established religion, but the government of the country; because it was contended, that the words religion and government were connected together, without any comma after the word religion. Was it known to the committee, that an order of Jesuits was canonically established at Stoneyhurst, in Lancashire, and another at Castle Brown, in Ireland? That at Stoneyhurst was established by the Pope's authority in 1813, though it was not finally sanctioned till August, 1814. When the House recollected the way in which the Jesuits had formerly exercised their influence, they must see the danger which would result from the education of the youth of high families, who were afterwards to take their seats in that House, in such an establishment. Such was the horror in which the Jesuits were held, that they had been driven out of Russia, where they were long tolerated; and in Spain, Piedmont, and Naples, they were either not tolerated, or at least in very great disrepute. The hon. member concluded by deprecating any concession, which, by opening the door of parliament to Catholics, would dispossess the House of those securities which were necessary for the security and permanence of the established institutions; and moved for the insertion of a clause in the bill, excluding Roman Catholics from seats in parliament.

Mr. *Calcraft* said, that having never before ventured to deliver his opinions upon this subject, he begged leave to trespass for a few moments upon the attention of the House. He had not abstained from addressing the House, because he did not strongly and anxiously feel its great importance, but because he had always seen it in such able hands, as suppressed any wish on his part to offer his sentiments to the House. He confessed, that he was one of those who considered the principle of restraint as of very little consequence; for if he looked only to the obligatory power of enactments, he should think that they had a very slender hold upon the powerful body of the Roman Catholics. When he knew, however, that the Catholics were governed by the same passions and interests as ourselves—that they were men who possessed a great stake in the country—and that they were as sincerely attached as the Protestant part of the community to all that was most valuable in the institutions of the country, he looked to those considerations rather than to any legislative enactments as the best security against the fancied dangers of the hon. gentleman. The hon. gentleman had said, that if the Catholics were admitted into parliament, they would immediately unite and overturn the whole Protestant power of this country. But, did the hon. gentleman really believe that the Protestants were grown so indifferent to the established religion, and had so little regard for all the national institutions, as to stand tamely by and see them overturned by a small minority in the nation? He hardly expected to be called upon to defend the measures of Mr. Pitt against the hon. gentleman; but he must say upon this occasion, that he had never heard so gross a libel upon the memory of a great man, as that which had fallen from the hon. gentleman in his description of the measure of 1793. He had characterised that measure, which extended the elective franchise to the Catholics as a mere political expedient of the day, in which a race for popularity was run between the two contending parties. He denied the fairness of this description. Mr. Pitt, in adopting the measure of 1793, saw that a change of circumstances demanded new concessions: he saw that the time was come, at which the elective franchise might be safely conceded to so large and important a body as the Catholics of Ireland. But, did Mr. Pitt, or the gentleman who supported him, mean to stop there? Unquestionably not; for seven years after, when he proposed the Union, one of his main arguments was, that if the Catholic population were merged in the Protestant population of Ireland, it would then be safe to grant them farther rights and privileges. It was natural that the Catholics having obtained, and fairly exercised, the elective franchise, should require to be admitted to the representation; nor could it be supposed, that having obtained the first concession, they would stop short, and not require more. It would be just as absurd to tell a child he might walk, but must not think of running, as to grant the elective franchise to the Catholics, and deny them that of representation. Equally absurd was the apprehension of the hon. gentleman, that 30 or 40 Catholic members admitted into that House would be capable of obtaining an ascendancy which would prove fatal to the Protestant interest, and to the existing institutions of the country. The hon. member concluded by declaring, that the concessions to the Catholics, to the full extent proposed by the bill, were calculated to promote the essential interests of the country.

The *Speaker* said, he thought it right to express his sentiments on the present occasion, and to state the reasons which led him to oppose those from whom he had the misfortune to differ on the present occasion. He would endeavour to confine himself to the clause now before the committee, and abstain from going generally into the merits of the bill. He admitted, with every one who had spoken, that the exclusion of the Catholics was a great evil—an evil that could not be justified without an adequate reason. But the framers of this bill recognized the principle of exclusion—of absolute unqualified exclusion—from holding ecclesiastical and judicial office connected with the administration of the laws affecting the established church. He did not but say that this might be perfectly justifiable; but, when there was a jealousy of a person professing the Roman Catholic religion participating in the administration of the laws directly affecting the church, he did not know how he was to be answered when he objected to their participation in the framing of laws by which the church was to be governed. This consideration led immediately to that of the clause by which the Catholics were admitted into the two Houses of Parliament. When he looked to the preamble of this bill, in which it was stated, that the laws relating to the ecclesiastical establishment were permanently established, it was a necessary inference, that the Catholics were excluded from judicial offices in ecclesiastical matters, lest any injury should arise from their mal-administration. But, when those laws were said to be permanently established, the meaning of those words could only be, that they were permanent so long as it should not please parliament to alter them. Was it not reasonable, therefore, to feel a jealousy as to the continuance of those laws, as well as to guard against their mal-administration? The hon. member who had just sat down seemed to think that the hon. member for Corfe Castle had carried his views of danger to an unnecessary extent; but it surely behoved them, in legislating on so important a subject, to take the longest view within their reach; for the law once passed was beyond their reach, and if any consequent mischief should arise, it would be no answer to say that the law might be repealed. The hon. member for Corfe Castle said, that there was much ground for alarm; and the hon. member who last addressed the House, thought there was no ground at all; but both the one and the other opinion were mere speculations. They were speculations upon which he did not presume to judge; but he must say, that upon a question of such paramount importance, he would rather look to the security of the law, than trust to the results of chance. The hon. member for Bramber had said, the other night, that he felt strongly inclined to believe that if the restrictions upon the Roman Catholics were removed, many of them would abandon their faith, and become Protestants. It was natural for that hon. gentleman, being himself an extraordinary good Protestant, and looking as he did to the intrinsic merits of the Protestant faith, to entertain such an opinion; but he doubted whether a good Catholic would not be equally inclined to say, "only give me admission into the House of Commons, and I will so convince you of the truth of my religion, that you will all turn Catholics." Believing, then, that it was a proper jealousy which excluded Roman Catholics from the administration of certain laws, he must confess that he could not see how the same principle of exclusion should not apply to the present case. In reference to the alterations proposed on a former night, not wishing to disguise his opinions, he would say, that neither the alterations proposed, nor any alterations, could change his opinions—which were unfavourable to the general provisions of the bill; but still he admitted, that the difficulties were accumulated in consequence of the alteration which had been made in the clause originally proposed. It was contended by some hon. gentlemen, that the words proposed to be added, made no difference in the meaning of the clause; but, if that were so, where was the necessity for alteration? He could wish to know why a severer oath was to be imposed on the Protestant than on the Roman Catholic. If that at present in existence was not thought necessary to secure the Roman Catholic, he could understand why it was altered; but he could not understand why a more rigorous oath should be tendered to the Protestant than was administered to the Catholic. The decision of the House on a former night had thrown some difficulty in the way of their proceeding. It was now said, that there would be a sort of breaking faith, if the House adopted the present proposition after deciding as they had done on the oath. He did not see that there would be any inconsistency in adopting the present amendment. The oath which had been decided on, would admit the Catholic to many situations which he did not fill before; and therefore it was not fair to charge the House with inconsistency, if, having agreed to the oath proposed on a former day, they should now adopt the amendment. The difficulty that he had from the beginning was this:—He objected to two oaths being tendered; and the more so, as the more rigorous oath was reserved for the Protestants. The hon. gentleman who spoke last had said, that the whole question turned upon three points; whether, on the admission of the Catholics to parliament, the safety of the state could be guaranteed; whether the conduct of the Catholics entitled them to the enjoyment of such a privilege; and whether, supposing those points to be allowed, this was not the most convenient time that the concession should be made? With respect to the last, though he had not the same confidence in the success of the measure, he agreed with the hon. member, that never was there a time when the deliberate judgment of parliament was more likely to be the deliberate judgment of the people. As to the second point, he was most willing to admit that their conduct, for a long time past, and the benefits which they had conferred on the country, entitled them to every thing that could be granted consistently with the safety of the state. He did not doubt their sincerity, but he did not think that their admission to seats in parliament was a privilege which, in conformity with their tenets, they could exercise beneficially to the country and with safety to the constitution. In his conscience he did not believe that such a privilege could be safely granted. This was his sincere and deliberate opinion; and, as an honest man, he felt himself bound to support his hon. friend's amendment.

Mr. *Canning* said, he agreed with those honourable members who considered this as the most important point of the bill. He agreed that it was that of which, if refused, the refusal would take much from the value of any other concessions, and of which, if conceded, the concession would enhance greatly their importance. He agreed that it was a point, the granting of which would form the key-stone of that arch which they were erecting, and complete that incorporation of interests which was the object of those who took part in promoting this bill. [Hear, hear, hear!] He agreed, at the same time, that they who, with him, contended for the admission of Roman Catholics into parliament, were not entitled, from any previous vote to which the House had come in the course of the present discussions, to assume this point as conceded, or to preclude a renewed examination of it in the present stage. Nothing had been conceded, in fact or in argument, that could prevent members from deciding upon the point before them, according to its merits [Hear, hear!]. Differing as he did from the right hon. gentleman who had last addressed the committee, he begged to guard against any misapprehension of what he should say, by offering at the outset the tribute of his acknowledgment for the general candour and liberality with which he (the Speaker) had stated his opinion [cheers], an opinion, it was unnecessary to say, formed most conscientiously [cheering], and not urged by the right hon. gentleman beyond the bounds of fair argument and discretion [Hear, hear!]. Whatever the result might be, he (the Speaker) would have the satisfaction of feeling that he had contributed his full share to the elucidation of the question and to the good temper which had happily pervaded the whole discussion [Cheers].

He would now proceed, first, to state what he might conceive to be the claims (the extent to which he understood the term "claims," he would afterwards explain, in order to guard against misconstruction), the claims of the Roman Catholics to admission into parliament; and 2ndly, he would inquire what dangers, real or imaginary, might obstruct the concession of those claims. Now, as to the term "claims," he was ready to avow his conviction, that neither an individual, nor a body of men, could be properly said to have any natural claims belonging to them as men, to any political franchise or employment. The claims of men in a civilized society were subject, not only to limitation from the circumstances of the times, but to lasting control from the necessity of the state. The exclusion of the Roman Catholics from parliament was just, if it was necessary; and the point now under discussion was, whether such a necessity existed or not [Hear, hear!]. Without reverting, however, to any wild theory of natural right, and under the qualification which he had already explained, he had no hesitation in affirming, that in every civilized society, and in every well-constituted state, wealth, ability, knowledge, station, gave a claim to office; and that eligibility to office had always been an object of ambition with the most cultivated minds. In this country, for ages past—and he hoped for ages to come—the highest object had been, was, and would be, to obtain a seat in the assembly which governs the counsels of the nation. To be excluded by positive enactment from the pursuit of this object of ambition, he would not say was an exclusion which no circumstances could warrant and no expediency justify, but it was an exclusion so severe as to be justified only by circumstances which could not be mistaken, and an expediency not to be avoided or controlled. [Loud cheers.] The burden of proof rested with those who contended for the exclusion. Exclusion was the exception. The general rule was the other way. Undoubtedly, if we looked back to the times preceding the Reformation, we should find that no class of society was then precluded from the political service of the state. The distinction grew up with the Reformation, a transaction affecting the whole of Europe, and the policy external and internal of every state composing the European commonwealth; which changed the line of demarcation between nations, and separated each people among themselves. A Protestant and a Catholic interest grew up, which divided and classed the nations of Europe; and within each nation took place a correspondent division and classification; which had the double effect of arraying different parts of the same community against each other, and creating in each part respectively a sympathy with foreign states. Similarity of creed was brought into competition with identity of country; and in many instances, and on many occasions, it could not be denied, the religious sentiment was too strong for the patriotic. Grant, then, as he might safely do for argument's sake, that during the existence of this struggle in its full force, it might not be safe to admit to political power the professors of any other than the predominant national religion, and that such a state of things justified exclusion. Still, if that state of things no longer existed,—if the struggle between patriotism and religious sympathy was at an end, —if in all the nations of Europe, whatever might be the form of their government or the modification of their faith, that line of demarcation was effaced (with the exception, he would admit, of Spain and Portugal, where the Reformation never made its way, and where therefore the materials for conflict and subsequent reconcilement had not been created) and if we still saw that line in full force among ourselves [hear, hear]—if we found the only trace of that demarcation in this country, a country blessed with a greater portion of regulated liberty than any other—a country in which every individual, born in whatever station, could rise to the highest honours under the Crown by the exercise of talent, industry, and virtue;—must not we be at a loss to reconcile this inconsistency; and ought we not to look anxiously to the time when it would be entirely removed [Great cheering]? He therefore did not contend,—his argument did not require that he should contend—that at the period immediately subsequent to the Reformation those who continued attached to the church and court of Rome, after the bulk of the population of England, as well as its Crown and parliament, had embraced the tenets of the Reformation, and abjured all temporal as well as spiritual allegiance to the Pope, might not be justifiably excluded from political power. He troubled not himself with any reasoning upon this point; but he did contend for the fact, that whatever disqualification was then imposed on the Roman Catholics by the governing power, was justified on the ground of danger from foreign interference, foreign connexion, and foreign allegiance; and that, without one exception, that danger was stated as constituting the sole necessity for such disqualification [Cheers]. But where was *now* the danger of foreign interference, foreign connexion, or foreign allegiance, which justified the maintenance of that distinction in this country which other countries had abolished? [Hear, hear!]. He called upon the House, therefore, to reform so unjust an anomaly if it could with safety be reformed [Cheers]. By the acts which excluded Roman Catholics from parliament, foreign allegiance was distinctly stated as the cause of the exclusion. It was stated in the statute of Elizabeth the more distinctly, from the partiality of its operation. The Roman Catholic Commoners were excluded by it from seats in the House of Commons; but the right of the Roman Catholic peers to sit in the House of Peers was not taken away. And why? because the Roman Catholic peers were less Catholic than the Commons?—because the Commons continued to hold doctrines which the Lords had abjured? No such thing. In this respect there was no difference between them. The reason was avowed to be this: The Queen having other means of ascertaining the fidelity of the peers, it was therefore not necessary to exclude them. It was not therefore doctrine or dogma; it was not transubstantiation, but political attachment which formed the ground of admission or exclusion. The individual Peers being under the Queen's immediate eyes, she could satisfy herself of their political allegiance and attachment; but the multitude of the Commons precluding any such personal security, it was thought necessary to exclude them from admission to parliament [Cheers].—So much for the principle of the law. And now what was the extent of its operation? A period of about 260 years had elapsed since the statute of Elizabeth was passed. For not much less than one-half of that period Commoners alone were excluded from parliament—Peers continuing to sit there. During that time, therefore, at least there was no change in the policy of the exclusion. It rested on the grounds on which it was originally enacted—dread of foreign allegiance, not danger of popish faith. In fact, the religious reason for the exclusion, dated only from the act of Charles 2nd;—an act passed in a moment of delirious fear and fury; the sure advisers of indiscriminate violence, and comprehensive and unsparing proscription. Then, for the first time, the creed of the Roman Catholic was made the test of his political loyalty. The belief in transubstantiation was taken as equivalent to disaffection, or rather as an unfailing indication of it; and tried by this test, the hitherto unsuspected Roman Catholic peer could not but be involved in the general disqualification of his Roman Catholic fellow-subjects. Now, he must be allowed to ask, why was the danger so much greater at the present moment than it was in the 5th of Queen Elizabeth,—than it was from that time to the 30th of Charles 2nd? For the present, he left the Commoners out of view; but as we were to go so much by the wisdom of our ancestors—why might he not put our older ancestors against our more recent ones,—the days of good queen Bess, against those of the second of the Stuarts, and humbly inquire, upon what imaginable ground if the peers of Elizabeth's time, who professed the Roman Catholic religion, should have been suffered to mix in affairs of state, it was unsafe to admit the Peers at the present day? [Cheers]. Upon what strange apprehension or possibility were Catholic peers not only excluded, but deprived of their birthright? [Cheers]. For be it remembered, they continued peers of England; they enjoyed their titles of precedency; but they must not take their seats in parliament. They had been summoned to attend on a late trial, and were obliged to pay the postage of letters inviting them; but they were not allowed to come. It was safe that they should be summoned; but it was not safe to remove the objections to their complying, to their exemption from postage, and admission to take their places. Not a word had been said in justification of this strange inconsistency and injustice. The peers' right to sit in the peers' house, in fact, was only suspended. Was it possible to conceive this suspension necessary? Were the Howards and the Talbots so degenerate from the character of their ancestors that the constitution would not be safe if they were admitted to the seats which they claimed under that constitution? [Cheers]. So much as to the peers, whose case he verily and in all sincerity felt to be quite irresistible.

Now as to the lions who were roaring in our own lobby, who, if we once admitted them, would turn us out of doors. He could not reason with antipathies. Some persons had such an antipathy to cats, that they were sensible of the entrance of one to a room before they saw where it was perched. He (Mr. Canning) never felt annoyed at sitting, as he often had done in that House, next to a dissenter [Laughter and cheers]. He really could feel no apprehension of that sensitive kind. He would grant, for the argument, that 100 Catholic members might be returned, partly from Ireland and partly from England; he would grant that they would combine; he would grant that they would combine for overturning the ecclesiastical establishment: but, granting all this, he asked how they were to go about it? It must be—1, by force of reasoning; 2, by force of numbers; or, 3, by force alone. Was it that the eloquence of the 100 members would succeed in persuading gentlemen attached to the Protestant establishment to join them in destroying it, in order to make way for the magnificent edifice of mitred popery? [Cheering]. Could any one believe that the members who might, in consequence of this bill, be admitted to seats in parliament, would move such a project? or could any one suppose for a moment, that the slightest motion which had such an end in view, would not be resisted?

An hon. and learned gentleman (Mr. Wetherall) had exemplified what the opponents of the Catholics understood by force of reasoning in a singular manner, when he said the other night, with respect to archdeacon Paley's arguments on the subject of the Catholics, that if he were called upon to refute the archdeacon, he would throw his book into the fire. The hon. and learned gentleman was, in this mode of settling a dispute, only imitating, and imperfectly, the first great disputant of the reformed religion, Henry 8th; who challenged a poor schoolmaster to debate some article of faith with him, on this condition, that if he, the schoolmaster, was worsted in the argument, he should be burnt as a heretic. It was unnecessary to add, that victory declared for the king; and the poor schoolmaster was accordingly thrown, where the hon. and learned gentleman proposed only to throw the archdeacon's book,—into the fire. Against such a form of syllogism, he would not answer for it, that the hon. and learned gentleman himself, with all his protestantism, would be proof. But happily, it was a form which could only be applied by those who possessed a superiority of force of another kind, from which he trusted, in this case, there was no apprehension to be entertained.—As to superiority of numerical force in the legislature—it was really visionary to apprehend it. Look at the distribution of property throughout the whole United Kingdom; and whence were the overpowering numbers of Catholic representatives to come? As to physical force,—what tendency had this measure to alter its proportions? And was the rejection of the present measure the best means of calming any ebullition of that kind? Was it the safest remedy to say to the Catholic, that you shut your doors upon him for ever? It would be idle to suppose that any scheme of representation could ever be so arranged, as that the sentiments of every individual in the country should be directly represented. Few persons had expressed their opinions to that effect, more frequently or more decidedly than himself. But still, he must admit, there was a difference between that general or virtual representation which he contended ought to bound the wishes, as it satisfied the wants and protected the interests, of all classes of the community,—and an absolute exclusion of any one class from the capacity of representing. He would ask whether it was not carrying the doctrine of virtual representation a little too far, to say that the Catholics were virtually represented, when the first oath to be taken by every member of the House of Commons, was one of abhorrence of their religion, as incompatible with the safety of the state? The way then to avert the danger of external force (granting for argument's sake, what he denied, that any such danger existed) was, to afford vent to the feelings of the Catholic within the walls of parliament; to give to him the capacity to represent, as well as that of being represented; and thus to cure, with respect to Ireland, where the elective franchise has already been extended to the Catholic, an anomaly in legislation, which cannot, in the nature of things, be suffered long to endure.

But not the elective franchise only, a privilege of the utmost civil importance, but the army and the navy from their lowest to their highest ranks, had been now opened to the Catholics: a concession after which it was difficult to say whether it was more impolitic or unjust to continue the exclusion from civil power,—to exclude from seats in parliament. An hon. and learned gentleman had been mistaken when, arguing on this subject on a former night, he had spoken of this concession as one growing out of former discussions in parliament. In truth, it had happened, rather than been contrived or foreseen. It had come, as many blessings do come upon mankind, in spite of argument and decision. The dangers of admitting the Catholics to commissions in the army and navy had been argued as strenuously in the last debates on this question, a few years ago, as ever before; but in the mean time, the thing had done itself, without interference or observation. The exclusion of the Catholics from the army and navy, had rested upon certain oaths directed by certain statutes, to be administered to all officers in either force on receiving their commissions. By a lapse, of which no one could trace the date, these oaths which had been always rigidly enforced in the navy, had fallen into desuetude in the army. Upon this discrepancy in the practice between the two services being quite accidentally discovered, it became a question whether the army should be recalled to the strictness observed in the navy, or the navy should be put on the footing of the army. The latter course was adopted, and thus was the service in both instances thrown equally open to Catholic and Protestant ambition, Such being now the situation of Catholics in this respect, he would beg the committee to consider the grievance which it must be to a Roman Catholic, descended of one of the great families of England, who, following the brave example of his ancestors, had merited the thanks of his country; what a grievance must it be to him, that after earning the reward, he should be deprived of it on account of his religion. He would suppose a Roman Catholic officer to have commanded under Nelson at Trafalgar, or under Wellington at Waterloo: his Protestant leaders and companions are ennobled, and take their seats in the House of Peers, but the Catholic, even though that Catholic were the first in his rank in the kingdom—even though already in the rank of the peerage, must be turned back from the door of that House, into which, if a Protestant, his valour and his services would have opened the way. Now this was a state of things which could not last. It was a monstrous inconsistency in our system; and he conceived that we could not have a better time to remove it than the present. As we had gone so far already in the work of conciliation, sooner or later this too must be done.

His right hon. friend (the Speaker) had supported the present clause for the exclusion of the Roman Catholics from seats in parliament, with the impression that, as the adoption of a similar clause had been fatal to a similar bill on a former occasion, it might prove so at the present moment; but he hoped, whatever might be the result of this motion—however the committee might decide, that it would not stop the progress of the bill [Hear, hear!]. He trusted that, in whatever shape the bill might come from the committee, unless, indeed, it were very materially altered, it would pass the House [Hear, hear!].

It was said in the debate the other evening, that if Catholics were admitted to seats in parliament, they might be admitted as governors of colonies. Now, he should like to know what act it was which could prevent the Crown from the appointment of Catholics to the colonies at the present moment. He was not aware of any. The 25th of Charles 2nd excluded them expressly and specifically from being governors of Guernsey or Jersey; but if that was the act relied upon, the very specification of these places left other commands open. Upon this point, however, he was willing to listen to any suggestion. He thought it of small importance compared with the general scope and provisions of the bill.

With respect to the interference of Roman Catholics in ecclesiastical preferments, this bill, expressly and anxiously provided against it. The office of lord chancellor of England was excepted, because he had ecclesiastical preferments to bestow; as was, for the same reason, the lord lieutenant of Ireland; and he had no objection to extend the like exception to all places which had ecclesiastical patronage. But it was objected, that a commission for the filling up of ecclesiastical appointments would be a clumsy remedy,—that the nomination to church preferments rested with the prime minister, and that if he were deprived of it, it would be taking the first feather from his wing. Now, in the first place, it was by no means true, that the dispensation of church patronage was necessarily vested in any particular office; or that any particular office necessarily constituted what, in common parlance, though not in the language of the constitution, is called a prime minister; lord Chatham was prime minister when lord privy seal; and the patronage of the church might, without any violation of form or usage be delegated to any minister to whom the Crown pleased to assign it. Nor was the expedient of a commission to nominate to church preferments so novel and unprecedented a contrivance as gentlemen seemed willing to believe. There was a precedent for such a commission, and in good times too, in a reign, and by the act, of a sovereign whom those who took this objection were particularly bound to reverence, whose every act but this they were never weary of quoting in these debates,—he meant king William. That sovereign, in the year 1695 (he believed, —but the fact was to be found in all histories of the time) appointed a commission, consisting of an archbishop and four bishops, who had authority to prefer to all ecclesiastical benefices and dignities, and the reason given for it was, that they were more versed in those appointments than the Crown. A commission therefore for the same object at present could not be considered as a new, nor after such authority had been produced for it, could it again be called a clumsy contrivance.

Another objection, which he heard with some surprise, was, that Protestants would have a conscientious scruple about taking the oath which recognised the existence of Catholic bishops. Hitherto it was said no such order was known to exist. This he considered to be no more than a quibble. We admitted the ordination of a Roman Catholic priest to be valid; and it was difficult to admit that, without acknowledging the existence of a Roman Catholic bishop. Nay more, if a Roman Catholic priest, should become a convert to the Church of England and should be presented to a living in the Protestant church, re-ordination was not considered necessary [Hear, hear, hear!]: so that we not only admitted the ordination, but we took the man so ordained into the bosom of the church. And how had that ordination been obtained, but at the hands of a Popish Bishop? But the statutes went farther. By the 11th and 12th William 3rd, chap. 4, it was enacted, "that whereas Popish bishops resorted to this country in greater numbers than formerly" (a pretty clear admission of their existence), "a reward of 100*l.* would be given to any person informing of the residence of such Popish bishop, such bishop incurring the pain of perpetual imprisonment." This surely applied to a description of persons whose existence and character were admitted. It was true, that the Popish bishop would not fetch his 100*l.* now; for by the 18th Geo. 3rd, this part of the act of William was repealed. We now therefore not only acknowledged the existence of Popish bishops amongst us, but allowed them to be here at full liberty. Under these circumstances, he thought that the Protestant must have a very tender conscience indeed who would not take an oath which implied the existence of Roman Catholic bishops.

The right honourable gentleman then adverted to the intercourse between this country and the see of Rome, and asked whether any doubt existed as to that intercourse being carried on at the present moment to as great an extent as if there never had been any interdiction at all? By the 13th of Elizabeth it was made treason to receive any bull, rescript, or indulgence from the see of Rome in this country. But did a month or a week elapse in which such things were not received at present? If it was right to prohibit them, in the name of God, let it be done effectually; but if the intercourse were to be permitted, what ground of objection could there be for subjecting it to regulation? Why should it not be so subjected in this, as it was in all other countries? They were told, indeed, that certain Roman Catholic priests said that they would not agree to the measure [Hear, hear!]. He would ask, if any other portion of his majesty's subjects would thus presume to dictate to the parliament? [Hear!] He knew of no sanctity which hedged in a Popish priest, by which he should be authorized to interpose his private judgment, or his private conscience between the benevolence of the legislature, and the wishes of his fellow-subjects [Hear, hear!]. The Roman Catholic peers had expressed their willingness to take the oath prescribed (three of them he understood were prevented by absence from signing the petition), and he would confidently act upon their opinion. The priest might clamour if he pleased; he might roar, like the tyrant of old, in one of his own bulls; but what was the loss of his influence and patronage, compared with the mighty and unspeakable benefit to be derived from bringing under one common bond of union the whole mass of Catholic and Protestant population? [Cheers]. He hoped the House would not be deterred by such attempts, from giving to the Roman Catholic peers of this country their birthright, and admitting the fair claims of the other portion of the Catholic community.

It was his anxious wish to see this great question happily set at rest; the great body of the Roman Catholic clergy and laity were ready to join in the measures necessary for the contentment and satisfaction of Protestant scruples. He admitted that the change was an important one; but it would be a change of progression, not of revulsion: it had for its object the reconcilement of both parties, and in their union the better security of the interests of both [Hear, hear!]—The present period was peculiarly favourable. After a season of storms there was one gleam of sunshine: let the House take advantage of it; and let them not counteract what ought to be its effect, by casting millions back into gloom and despair [Loud cheering].

Mr. *Bright* apprehended that the absence of restrictions might be followed by the same dangerous consequences which had in former times attended the free exercise of the Roman Catholic faith. He thought himself justified, upon every principle of the British constitution, in opposing the bill, and should vote for the amendment.

Mr. *Hart Davis* also gave his support to the amendment. He did not believe if the bill were passed, that the Catholics would cease to demand farther concessions; and thought that the removal of the existing restrictions would be attended with danger to the Protestant succession.

Sir *T. Acland* said, he entertained the most sincere conviction, that the only issue of the present question which could be favourable to the interests either of Catholic or Protestant, was that for which he intended to vote. He could by no means agree with the hon. member for Corfe-castle, that Catholics, if admitted into parliament, would aim at measures dangerous to the Protestant establishment. In support of his opinion, he would state to the House a fact. At the time when the Test act was sent from the Commons to the Lords, a Catholic peer, the earl of Bristol, was found to advocate that very bill which excluded from office persons of his religion. The argument of the earl of Bristol upon that occasion was, that he was bound to address the House, not as a member of the church of Rome, but as a member of a Protestant parliament; and that although there were some particular points of the bill to which he, as a Catholic, could not conscientiously give his assent, yet he could not but advise the House, as a Protestant House of Parliament, to pass it. There was one other circumstance which the hon. bart. felt it his duty to press upon the House. Every man must feel that the question was a growing question, and one which would eventually succeed. He would ask those gentlemen who apprehended danger from the admission of Catholics to seats in the Houses of Parliament, whether that danger was likely to be lessened by keeping back that which must be eventually conceded.

Sir *F. Blake* strongly advocated the claims of the Catholics. The boon they asked ought to have been granted twenty years ago. Ireland would then have been held by the strongest tie—the tie of gratitude. It was not, however, too late to do an act of justice.

Mr. *Grattan* said, he dissented most decidedly from the amendment as being calculated to destroy all the spirit of that measure which, at length, was making rapid progress in the House. He feared that many who opposed the measure were adverse to the claims of the Catholics altogether; that they looked to that body, not as it was, but as it had been; that they had a horror of the Catholics of former times, and extended that feeling to the Catholics of the present day. He did think that the hon. member for Corfe-castle had failed to make out such a case against the Irish Catholics as should disqualify them from holding seats in parliament. He did believe that the peace, the harmony, the social feeling of the people of Ireland, depended upon the result of the measure before the House. Catholics in the Irish parliament had been found to deserve well of their country. He could not but deplore the system under which, at the present day, Ireland was governed—a system, the tendency of which was, to engender party feeling, to tie a man's success rather to his creed than to his character; to give ascendency to one individual, dependency to another, and liberty to neither. He did believe that the good sense and the good feeling of the gentlemen of Ireland counteracted, in a great measure, the ill effect of the existing system; and that the inhabitants, Catholic and Protestant, had but one object—the improvement of their country. Still the code under which they lived was not the less objectionable. He trusted that the present system would soon terminate, as the evils of it were greater than any persons unacquainted with them could possibly imagine. The hon. member then took a review of the measures which had been enacted both against and in favour of the Catholics from the earliest period of their history down to the present time; and asserted that by such a review he had clearly proved his assertion. He implored the House to allow the present bill to pass; as by so doing an inestimable benefit would be conferred upon Ireland, and peace, harmony, and good-will, would be restored among its inhabitants. Whatever differences of opinion might exist among the Catholics at present, he was certain that the day was not far distant when this measure would be hailed with satisfaction by all parties, as putting an end to a monopoly of power and of place, which had already existed for too long a period.

The committee divided: For Mr. Bankes's Amendment, 211. Against it 223: Majority, 12. The Chairman reported progress; and asked leave to sit again.

HOUSE OF LORDS.

Tuesday, March 27.

NAPLES.] Lord *Ellenborough* rose for the purpose of moving an address to his majesty, praying that he would be graciously pleased to offer his mediation to the emperor of Austria and the governments of Naples and Sardinia, with a view to bring about an amicable adjustment of their differences, consistently with the honour of all parties. When the noble marquis (Lansdown) near him had submitted a motion on the affairs of Naples some time ago, he (lord E.) had then expressed an apprehension, that at no distant period Austria herself might wish for the interference of this country, to enable her to retire from the contest with honour. That moment, as it appeared to him, was now arrived; and he called on their lordships to place this country in the proud situation of acting as mediator between the belligerent powers, and arresting the progress of a contest which might extend itself to other countries. It appeared to him that they were called upon to interpose at that moment, because it was the first moment when their mediation could be offered with effect. Whatever opinions he might entertain with respect to the conduct of Austria, and of the allied powers generally, he would observe the greatest moderation in what he should address to their lordships when speaking of those powers, and particularly of Austria herself. For, however he might lament and disapprove of her present policy, he was bound to acknowledge the great services she had rendered to the whole of Europe. He could not avoid recollecting her conduct in 1805 and the zeal with which she sprung forward when this country was threatened with invasion; he also recollected her conduct in 1809, when she seized the first moment of hope, and exerted herself for the expulsion of the French from Spain; and lastly, he remembered her faith and loyalty in 1813, which led to the successes of Europe and the triumph of the combined armies before the gates of Paris. He was aware of the important functions which she had performed, and was still destined to perform, in the system of Europe; and, much as he lamented the nature of that system as it was now manifested, he was not prepared to incur all the risks and chances of war for the assertion of contrary principles. It was not in hostility to Austria, but for the benefit of our firmest ally, that he called upon them to afford Austria an opportunity of withdrawing with honour from the contest. He would call upon the House to consider the state in which the affairs of Austria and Naples stood. The road to Naples was not so easy as had been expected; and the Austrians had found that instead of an undisciplined rabble, they had to contend against a military force, and to adopt the cautious movements which were necessary to be employed against skilful opponents. Even had Austria been successful in any general engagement, the nature of the country, the enthusiasm of the people, the solemn obligation of oaths by which they were bound together, must yet protract the struggle. When they considered what had taken place in Spain, and compared the circumstances of that country with those of Naples, they would see that there was no reason to believe the situation of her cause less favourable than that of Spain. The House would also do well to consider, that since the revolution, the Neapolitan army had become one of the best disciplined in Europe; and he would entreat them to reflect, that Austria, who had entered into the contest with the expectation of crushing the power of Naples at once, had as yet made no sensible impression on her resources. It had been truly said, that the blood of the martyrs was the seed of the church. In the same way, the blood of the Neapolitans, would be the seed of the liberties of Italy. They had proved the truth of the maxim, that when a country was attacked with danger, and a spirit of resistance was awakened in the people, it was safer to compromise the dispute than to encounter the difficulties of subduing them. The effort to put down the spirit enkindled by the Carbonari would put Austria to an expense which must destroy that system of economy which was necessary to her establishment as a great power in Europe. But when they looked to the other powers by which Austria was surrounded, must she not be anxious to escape from the contest upon that ground? It was impossible that Austria could forget the conduct of Russia in 1807, or in 1809, when, instead of joining she opposed the power of Austria. It was impossible that she could forget her conduct, surrounded as she was by states from whose territories she had made accessions, and not always in a manner the most honourable to her character as a nation. The separation of Finland from Sweden, and the circumstances under which it was accomplished, must be fresh in the recollection of Austria; and the general principle pursued by Russia in her military policy, could leave little room to doubt that she would fight for herself in Italy, and require cessions from Austria at a moment when she was least capable of resisting the demand. But even if Austria still believed in the good faith of Russia, could she look with a total want of suspicion to the state of France? What was the situation of France? She had obtained a constitution founded upon great principles, which she had force enough to protect: and though her legislators had not entered into details, which time could best supply, the principles already recognised were a great benefit to the country. Such being the situation of France, with the Netherlands upon one side, jealous of their separation, and anxious for a re-union with that country to which they were most attached, was nothing to be apprehended from such a quarter? Again, what was the situation of the Duchies within the Rhine? It was well known that they, too, would gladly reunite with the country from which they had been separated. But what was the situation of the Italian states themselves? Was it not probable that they would feel, that they could have no hope of succeeding without calling in the power of France to drive out the power of Russia. In his opinion, the entrance of a Russian army would be followed immediately by the entrance of a French army to counteract their movements, and join the war. They might then anticipate the probable annexation of all the countries within the Rhine to France, which had been separated from her by the treaty of Paris. The people of Prussia, too, who had fought not only for their king, but for themselves, and who justly expected a constitution in return for their services, were actuated by a spirit unfavourable to the cause in which

Austria had embarked. The spirit of the North of Germany exhibited at that moment a class of men who were Carbonari in principle, and Germans in courage; and it was impossible not to see that the continuance of the war might rouse the Germans, and place Prussia in the situation in which Austria now stood, with respect to her Italian provinces.—Under all the circumstances, it seemed natural to suppose that Austria would be thankful to this country for interfering, to enable her to retire with honour from the contest. The greatest difficulty which he expected was on the side of the Italian powers; but when they considered the great force that could be brought against them, and that Italy, their own Italy, must otherwise become the seat of war, with a prospect of being left more oppressed and desolate than ever; when they considered, that however justifiable their views, or elevated their enthusiasm, those views might be answered more efficaciously, and that enthusiasm attended with better effect, by the mediation of such a power as Great Britain, than by the chances of any war in which they could engage, they too would be thankful for the offer. But if Austria should still be deaf to the voice of reason, it appeared to him, that without threatening war, there was one threat, if indeed it might be called a threat, from which some influence might be produced on her decision. If the war continued, this country might at length be compelled to join; but whether compelled or not, was it to be expected that such a people could witness a contest between despotism and freedom, without taking any interest in the issue? But suppose the English would not do so, they knew that the French would, and they knew the effect which such assistance must produce on the disposition of the countries towards each other. This was felt in the case of America and France; they were attached to each other by the assistance afforded to the former at the revolution. Whatever the policy of government might be, there was no denying that the feeling of the English people was with the Italians; and he was sure he might safely say, that there was not an English gentleman who had set foot on the other side of the Alps, who did not feel himself an Italian with respect to the present contest. He had not annexed any principle of this kind to his motion, leaving it entirely to his majesty's ministers to carry the motion into effect in the way which they thought the most advisable. The address he would move was, "That his Majesty would be graciously pleased to use his mediation to restore peace between the contending parties, on such terms as would preserve the honour of Austria, and the tranquillity and independence of Italy."

The Earl of *Aberdeen* opposed the motion. There were, he observed, many difficulties attached to the course recommended by the noble lord. In the first place, it was known that the king of Naples had issued a proclamation, calling upon his subjects to receive the Austrians as friends, and not as enemies; and it was far from being desirable that this country should place itself in the situation of judge between the king of Naples and the persons now exercising the government neither was it to be presumed, that the king's authority was so far gone, or that of the Carbonari so firmly established, as to render it certain that the proclamation would not be eventually obeyed. By adopting the motion, they would be guilty of that interference which was directly opposite to the course which they professed to follow. But supposing they had got over that difficulty, the noble lord had not explained very distinctly the manner in which he would have the mediation proposed. Did he mean to offer terms of perfect equality to both parties? The duty of a mediator was not that of a judge; but the motion looked rather like a sharp remonstrance to Austria than a moderate interference. In fact, it was impossible to preserve the cool spirit of mediation between two powers, under a belief that an unwarrantable aggression had been committed upon one side. That the character of a peace-maker became a great country like this, he did not deny, but there should be some probability of success to warrant such an interference, and the only case in which they could have any chance of success was, where both parties were desirous of mediation. The noble lord had thrown out a species of threat, that if Austria did not consent, this country should recall the prohibition to its officers against joining the Neapolitans. Whether that prohibition was wise or not, every reason that made in favour of it, in the first instance, was still in full force; but did the noble lord think that the mere circumstance of granting permission to a few officers would have the effect of changing the counsels of a powerful government? If they erected themselves into the character of judges, they were not mediators; if they professed to act as friends, they should speak the language of friendship, and not accompany their recommendation with an imbecile threat. The effect of the noble lord's proposition would be to injure the good understanding which at present existed between Austria and England. He did not wish to see Austria replaced in all her ancient possessions, but he wished to see her remain in possession of all she now had; not only for her own sake, but with a view to British interests, and the general security of Europe. It was impossible that any man who looked to the different states of Europe, should not be struck with the attachment which the population of that country felt towards this. An interference, such as was now proposed, would not only produce an effect on the government itself, but would be likely to excite feelings of anger and bitterness on the part of the whole population; and by that means disturb a better security for national attachment than treaties could establish. When he inculcated the importance of maintaining the friendship of Austria, he spoke the language of all the wisest statesmen, and particularly that of a great man, whose opinions would be respected by the noble lords on the other side. He had heard Mr. Fox say, after the battle of Austerlitz, that Austria was still the country to which England ought to look. The subsequent conduct of Austria had justified the remark. On looking to the circular of lord Castlereagh, which he considered one of the wisest and most judicious papers ever issued from the Foreign office, they would find an express reprobation of the principle of interfering in the government of other states. They would see in it a particular exception which might apply to the case of Austria herself, in respect to Naples. Was not this country bound to adhere strictly to the principle she had so laid down? The time might come when her mediation would be acceptable, but it would be the more acceptable in proportion as we were exact in the observance of a strict neutrality.

The motion was put, and negatived.

HOUSE OF COMMONS,

Tuesday, March 27.

Roman Catholic Disability Removal Bill.] On the order of the day for going into a committee on the Bill, sir J. Newport moved an Instruction to the committee "That they have power to make provision for regulating the intercourse between Persons in Holy Orders, professing the Roman Catholic Religion, with the See of Rome."

Mr. *Hutchinson* declared himself to be hostile to the Intercourse bill, and stated that the Catholic clergy were by no means satisfied with it.

Mr. *Carew* stated, that he had received letters from several most respectable Catholics in Ireland expressive of the satisfaction which they felt at the bill.

Mr. *M. Fitzgerald* said, he strongly objected to any interference of a Protestant government over the administration of the Catholic Church. As a Protestant he felt objections to that interference on constitutional grounds, as strongly as a Catholic could feel against it on grounds of faith.

The House having resolved itself into a committee,

Mr. *Peel* rose to propose the amendments of which he had given notice. The nature of his proposition was, to extend the exceptions of the bill to the privy council and to judicial offices. The House had last night pronounced its opinion, that the Catholics ought to be admitted to sit in both Houses of Parliament. He did not stand there to impugn that decision—he bowed to it. But he would take the benefit of an admission which was made last night, namely, that the clause for admitting Catholics to parliament was the main object of the bill; that the failure of that clause would render other parts of the bill of less value; but that the success of that clause would make other exceptions of minor importance. As the bill now stood, an alteration had been effected in the exclusively Protestant character of both Houses of Parliament since the Revolution. It still, however, left untouched the securities provided for the third estate, namely, the inviolability of the Protestant succession to the throne of these realms. The act for securing the succession excluded Papists from the throne, and fenced round the rights and dignities of the established church. It went further—it not only required that the successor to the throne should not be a Papist, but that he should forfeit his right of succession if he married a Catholic. To whom, then, were they to look for the maintenance of that compact so solemnly provided for by the Act of Succession? Not to the monarch himself; for by the law of England he was irresponsible; for his acts his ministers alone were to be adjudged. It was therefore more particularly necessary that those responsible advisers should not be selected from a class which might expose the monarch to the danger of an undue influence. He was one of those who thought that there was less danger from a Catholic king with a Protestant council, than from a Protestant king, with a Catholic council. Indeed, he should have apprehended infinitely more danger from Charles 2nd, with his cabal, than from his successor James, while Papists were excluded from his councils. It was said, why should they guard by oaths against a danger which might arise from the admission of Catholics to office, when they provided no such guard against Atheists and Infidels? To this he would answer—because they knew of no oaths which could be made to apply to the cases of Atheists and Infidels. He did, however, know of guards against Catholics. They were recognized and acted upon at the time of the Revolution; and in the same spirit in which they were proposed in those acts, did he now call for their continuance. This bill provided an eligibility for Catholics to all offices in the state save three which had been excepted. But although by this bill they might serve as ministers of the Crown, yet, inconsistently enough, were they excluded, in the first place, from advising the Crown respecting the grant of appointments, lay or ecclesiastical; and, in the second place, exposed to a penalty, if they ventured to advise the Crown respecting such appointments. Nothing could be a harsher inconsistency, than to declare men eligible to fill certain offices, and yet, in the same breath, to punish them if they ventured to exercise or advise the exercise of the patronage properly attached to those offices; so that though they might become the responsible ministers of the Crown, and constitutionally bound to advise the Crown for the best interests of the country, yet the moment they ventured to perform their duties and tender that advice, they became liable to the penalty of a misdemeanor. Rather than expose Catholics to such an unjustifiable mortification, he should object to their being placed in those offices where they would have to combat such manifest inconsistencies. How was it possible that a Roman Catholic could take the privy councillor's oath, and do his duty accordingly, exposed to these humiliatory qualifications? How could he swear, "faithfully and truly to declare his mind and opinion to the Crown according to his heart and conscience," when, by giving his advice, he might commit a misdemeanor? He would suppose the case of a Catholic secretary of state for the Home department, and that a question was discussed before him, touching the education of the children of a king, was it likely that, according to "his heart and conscience," he, if a rigid Catholic, would recommend a Protestant education for the royal children? A privy councillor was, according to the words of lord Coke, "a chosen sentinel" of the constitution. Was it probable he would continue to be that, if a Catholic, and restricted by these inconsistent qualifications? Pursuing therefore the policy, the principle, and the necessity, which regulated the act for securing the succession to the throne, and looking at the important and responsible duties of a privy councillor, he must conclude that Catholics could never be deemed eligible to fill that office.—Coming now to his recommendation to exclude them from all judicial offices, he begged not to be understood as opposed to their admission to the rank of a silk gown. It might be said to be an anomaly to concede to them a silk gown, and yet to exclude them from the bench. It certainly was; but the whole provisions of the law upon this subject were necessarily anomalous. With respect to the exclusion of Catholics from the bench, he must beg leave to remind the hon. gentleman opposite, that the right hon. gentleman who had introduced this bill had admitted not only the purity with which the administration of justice was conducted by Protestants, but also the perfect sense of that purity which was universally felt by the great body of the Catholics. He was not aware that the judicial situation was ever held by a Dissenter. He believed that the judges were in the uniform habit of taking the sacrament according to the ritual of the Church of England, and not availing themselves of the annual Indemnity bill. They were also, he believed, called upon, in rotation, to assist in the court of delegates. Now, even by this bill, a Catholic could not sit as a delegate. He would therefore, if eligible to the bench, be exposed to the invidious exception of ineligibility to the court of delegates. Great additional solemnity was acquired to the office of a judge, by his attending divine service before the opening of the assizes. The effect of this attendance to the duties of religion on such an occasion he considered very important; and he was at a loss to see how a Catholic judge could uphold the same reverential interest in the situation in which he might be placed. He concluded by moving as an amendment, that after the offices from which Catholics are to remain excluded, the words "or the office of privy councillor," be inserted. He should afterwards move to add to the excepted offices, those of vice-chancellor and master of the rolls, and chief justices of the King's-bench, and Common pleas, or justices of either bench, and chief baron of the Exchequer, and the other barons of the Exchequer, in England and Ireland.

Sir *John Newport* said, that many members of the Scotch church were also members of the privy council. How, then, was the argument of the right hon. gentleman made out, that because the sovereign and his wife were not to be of the church of Rome, therefore his ministers and councillors must all be of the church establishment? The inference was destroyed by the fact, that members of the church of Scotland were allowed to be the advisers of the Crown. This was the only case in which the British constitution rendered the sovereign responsible. He was liable to the loss of his Crown if he became a Papist. If it were meant to limit and restrain the sovereign in the choice of his privy councillors, why not say so at once? and the exclusion might in time extend even to particular individuals. As to the oath of the privy councillor, it ought to be recollected that it was statutable: and when the special wording of it was relied upon, the right hon. gentlemen seemed to have forgotten that it was framed and enacted before the Reformation. It was not very creditable to this Protestant country, that it should exhibit such intolerance, while Catholic countries set it such an example of enlightened liberality. Abroad, differences of religion created no invidious distinction; and it was worthy of remark, that at the present moment we had a Protestant ambassador from Catholic Bavaria' and a Catholic minister from Protestant Denmark. Nay, he had even understood that that minister was about to be replaced by an English Catholic, who had found that encouragement abroad which he would willingly have accepted at home. He could not avoid calling the attention of the House to the analogous condition of Hungary, connected as it was with Austria. It contained about seven million inhabitants, one-third of whom were Protestants; the hierarchy was Catholic, of great opulence and power; but formerly the most bitter contests had prevailed in consequence of differences of faith. In 1791, however, the emperor Leopold summoned the Diet of Hungary and a proposition was then made to give the Protestants an entire and absolute admission to every office of the state. It was carried by a majority of 291 to 84; and since that period the utmost tranquillity and harmony had prevailed. One part of the proposition was to exclude barristers from the bench, but to give them a silk gown. He was not disposed to undervalue a silk gown; but he did not think the Catholics would accept that alone as a considerable boon, when they were to be shut out from the dignity of the bench. The right hon. gentleman who introduced this bill had most impressively claimed for the Catholics an admission to the bench—that they should not be deprived of their chance in the race of honour. Let the House look at the peerage and see how many distinguished ornaments it had acquired from the profession of the law, and how many of those ornaments had been raised from the lowest ranks of society. The people at large therefore looked to it with hope, as the means of aggrandizing their families; and the Catholics ought not to be excluded from the same advantage. It had been said that Dissenters were excluded from the bench; but the fact was otherwise: sir M. Foster and lord Rosslyn both lived and died Dissenters. Not seeing the necessity of the exclusion now proposed, he could not give it his consent.

Sir. *J. Nicholl* declared, that he meant nothing offensive to the Catholics, when he stated it to be his opinion that their exclusion from the degree of political power which they sought, was inconsistent with the safety of a state which was essentially, fundamentally, and permanently Protestant. If the number of the Catholics were few, there might be less danger in allowing their admissibility to the offices alluded to; but their number was so considerable, that if they were admissible not only to the judicial bench, but to the counsels of the sovereign, great danger might arise to the security of the Protestant succession. There was, he was willing to admit, no danger of that church being altered or affected while parliament remained as it was; nay, he would, in justice to the Catholics themselves, believe that even if a number of them were introduced into parliament, they would not, in the face of day, make an attempt of that kind; but what he feared was, that this point would be laid hold of by demagogues and agitators to disturb the peace of the church; and that the measure, instead of uniting and knitting together the members of the two religions, would lead to constant bickerings and warfare. If he conceived that these concessions could be made with safety, he would readily concur with the promoters of the measure; but he was afraid that that was quite a vain hope, and that religious opinions, which formed the most powerful of all human incentives would be made a sort of rallying point for political contests,

Lord *Castlereagh* said, that whatever parliament might now grant, he would, as far as his power extended, endeavour to carry into effect; and he would use his best efforts to induce the Catholics to receive with gratitude, the boon which it might please the legislature to bestow. If parliament thought fit, it was doubtless in its power to surround the measure with various qualifications; but if those qualifications had the tendency to keep alive a Catholic question in the country, and to destroy that conciliatory temper which now prevailed, he should be betraying the interests of the cause he professed to advocate, if he were to give up the ground he had previously taken, and adopt a proceeding which must have the effect of protracting this long-agitated question. The two great principles on which his learned friend had argued the subject were; first, the question of safety with reference to the Protestant church, and, next, the number of Catholics who, under this measure, would get into power. Every one would go along with his learned friend in admitting that one of the fundamental foundations on which the union stood was the inseparable establishment of the Protestant church of the two kingdoms. It was true that external force might overthrow the system; but he could not conceive that granting political power to a few Roman Catholics was at all likely to hasten the application of external force. But he denied that, under the act of Union the Protestant church of Ireland could be at all modified. No man could suppose that any of the covenants of that union could be made the subject of legislation. It was a question which, as far as parliament was concerned, was placed beyond the reach of legislation. But his learned friend would here allow him to put this distinction that it was one thing to establish a religion, and another to protect it by that qualified degree of endowment which parliament had, in other instances sanctioned. Thus, the Catholic clergy of Scotland were at this moment in the possession of that description of provision which was the only provision he had ever heard suggested for the consideration of that House, with reference to the Irish Roman Catholic clergy. His learned friend must certainly know that in Ireland, also, a state provision was granted to a body connected with the church of Scotland—he meant the Presbyterian synod of Ulster. He would not say under what circumstances that provision had been granted; but he would contend that in its practical results no measure was ever more beneficial. The Protestant church of Ireland was, by a solemn covenant between the two parliaments, placed beyond the reach of becoming an object of legislation in that House. He did not know that the omnipotence of parliament could not repeal the Union; and having separated the two legislatures, that of Ireland might proceed to re-model its church. But that the united parliament could interfere with the united Protestant church he wholly denied; since it was directly contrary to the act of union. With respect to the qualification which his right hon. friend proposed, he would now offer a few observations to the House.—He agreed with his right hon. friend, that the right to exercise the principle of exclusion, where the safety of the state required it, was inherent in all governments. The truth of that position could not be shaken, without affecting the monarchy of England. But he must also observe, that the admissibility to certain offices was a question of policy and prudence. His learned friend had argued this part of the subject as if by some strange principle of magic, the government was to become wholly Catholic. His learned friend had forgotten those securities which necessarily arose from the Protestant population and wealth of the realm; and he argued that the administration of the country would be, to a great extent, Catholic—that Catholic authority would surround the Crown; and that the state would be shaken to its foundation. Now, for his part, he saw nothing in Catholic power, even if it were extensive, that should cause any apprehension of danger. They found amongst the Roman Catholics of England men of high rank, of large fortune and of extensive influence; but to contend that there was any portion of them who, if they procured political power, would exert it for the dangerous purposes that had been alluded to, was a position unworthy to be argued. At one time it had been stated that the number of the Catholics in that country, as compared with the Protestants was as four to one; and that the Protestants of the church of England formed only one eighth of the whole population. But Dr. Duigenan, who had received correct information on the subject, denied the fact. He said that, instead of 6 persons to each House, there was not more than 5½ or 5¼, giving a total of 3,500,000, of which not more than 2,000,000 were Catholics. With respect to property 49 out of 50 parts of the landed property belonged to Protestants, and 9-10ths of the personal property."—When such was the state of Catholic numbers and property in Ireland it was not likely that many Catholics would be returned from that country; especially when it was recollected that the Catholic freeholders were comparatively few. He had made some inquiries into the state of Catholic property in Ireland and he found that there were not above 14 or 15 places where the Catholic interest could make itself extensively felt, and, he believed, conscientiously, if they passed the bill to-morrow, that not more than 5 or 6 Catholics would be returned. He did not think, indeed, that Roman Catholics would find their way into that House to the extent which he thought would be beneficial to the state and to the Protestant establishment. For his learned friend would agree with him, that if the Catholics maintained mischievous prejudices, that House was the place in which they were most likely to be eradicated.—The noble lord then proceeded to argue against the proposed qualifications. He knew there were some offices in which it would not be proper to place Roman Catholics; but the question was, whether it would not be best to leave the selection to the sovereign? He maintained that it would and contended that there was little fear that a Protestant king would select a Catholic administration. At the same time he did not see that a Catholic minister in the cabinet could overturn the constitution. But his right hon. friend would say—"If so few Catholics can become privy councillors, is it not as well to exclude them at once?" He thought not; because it was keeping up one of those bars which the Catholics complained of for the purpose of securing a very inadequate object. With respect to Roman Catholics becoming judges, in all probability it would only be in cases where the individual had raised himself to the summit of his profession by his talents and assiduity; and such a man, he contended, having the eyes of the whole country on him, would be induced, more than any other individual, to conduct himself in an exemplary manner. Such were his sentiments. Should the House differ from him in opinion, he hoped that the Catholics would frankly accept such advantages as their Protestant brethren were willing to accord to them.

Mr. *Wetherell* argued, that the promoters of the bill, having acknowledged the ineligibility of Catholics to judicial situations, connected with ecclesiastical functions, would be guilty of inconsistency, if they did not follow up their principle by excluding them also from offices of temporal judicature, on the ground that the temporal courts took cognizance of many matters of an ecclesiastical nature. Besides, there were duties which the temporal judges had to perform, that a Catholic could not discharge. He could not, for instance, sit in the court of Delegates, upon appeals in spiritual matters, nor could he act as a coadjutor in the ecclesiastical courts. The supporters of the bill were also guilty of an absurdity in allowing Catholics to be eligible to the situations of privy councillors, and yet making it a misdemeanor in them to advise the sovereign upon matters of ecclesiastical interest. This was an impracticable prohibition. The advice of the privy councillor to his sovereign was secret and confidential; and therefore the prohibition of giving advice on ecclesiastical matters, which advice could never be known, was a mere nullity. The safest and most consistent way, therefore, was to exclude Catholics from this office altogether; and to remove the necessity for so absurd an exception, by a practicable general rule.

Sir *James Mackintosh* agreed with the right hon. mover, that anomalies were not objections in the formation of a scheme of religious government. Upon such a subject it was almost impossible to reduce legislation to a symmetrical form. He took the present question to be altogether a question of compromise, of degree, of the arrangement of opposing feelings and inconveniences—a question upon which it became impossible to follow any one principle to its utmost logical consequence. The learned member had laid great stress upon the difficulty of enforcing the provision against advice to the sovereign from Catholic privy councillors in matters of ecclesiastical interest. The learned member asked, how was the giver of such advice to be detected. The question reminded him of a brief dialogue between the republic of Venice and the see of Rome. The republic of Venice once asked—where was the original deed of conveyance by which the keys of Heaven was vested in the disposal of the Pope? To which his holiness replied, that it was upon the back of that instrument which gave the Adriatic sea to the dominion of the doge. Now, he would tell the learned gentleman how the advice which the Catholic privy councillor gave to his sovereign might be known, if he would only inform him how the advice which any other privy councillor gave was to be ascertained. It was stated, that the country had once undergone great dangers, from having a king who listened to Catholic advisers; but it should be recollected, that there was then no exclusion of a Catholic king; and yet the country had proved too strong both for king and ministers, when they entertained designs subversive of the religion of the state, and the liberties of the people. But what would be the consequence of admitting Catholics to seats in parliament, and yet excluding them from the situation of privy councillors? Why, to introduce new principles into parliament. In the first place, Catholic peers could advise his majesty as hereditary councillors of the Crown in the House of Lords, and Catholic commoners could advise the king, as members of the House of Commons; but then they were not to be allowed to aspire to the higher and more sacred functions of privy councillors. If parliament acknowledged this, it would be equivalent to declaring that it was not the great and paramount council of the nation; but that there was another council, higher and of a more important character than itself. Again, the members of that House had hitherto been looked upon as equal; but, if this principle was admitted, then there would be recognized within those walls a race of inferior and outcast members, divided from all others by an impassable line of separation; and the House would consist of a privileged majority and a degraded minority. In the third place, it was always understood, that the Crown chose its ministers from among those men who, by their abilities, had risen to eminence in the councils of the nation; but if this principle was admitted, then there might be persons in that House, who, by their talents, intelligence, or civil virtues, might rise to the highest eminence, and yet be for ever precluded from being chosen as the responsible advisers of the Crown. The danger to the republican principles of our constitution had been already stated; but he would ask, was there no danger to be apprehended to the monarchy itself, from driving to despair a body of people, whose active abilities would not be allowed to be devoted to the service of the sovereign? The very same principle which gave security to the rights of the people, would give stability to the prerogatives of the throne. There ought not to be, therefore, in that House a body of men, whom the Crown had no hold of, like others who aspired to public offices. As to himself, he was likely to spend the remainder of his life in Opposition, and if he could look only to the interests of party, he might not regret that such a principle should be acted upon, because it would give to the ranks of Opposition a set of men who must be irreconcileable enemies to the ministers of the Crown—men of blasted hopes and acrimonious temper. But he would rather see men choose Opposition from principle, than be driven into it by the exasperation of hopeless exclusion. The hon. and learned member then proceeded to answer the argument, that judicial characters of the Catholic church, not being capable of partaking of the communion of the church of England, could not be present at the observance of those decent ceremonies which usually preceded the exercise of their judicial functions. He observed, that although they could not partake of the communion of the church of England, there was nothing to prevent them being present at the celebration of its worship, any more than in the case of Non-Conformists, several of whom had been judges, and he instanced sir M. Foster. He then went on to remark upon the great effect which the opening of judicial situations to Catholics would have upon the body of the Catholic community, in conciliating their affection to the laws and institutions of this country, more especially in Ireland. He considered this as a privilege that would have more extensive consequences in this way, than even the concession of seats in parliament, because few could aspire to the latter, but all who reared up their sons to the bar, would have expectations of their rising to the most honourable station in their profession. The example, too, of a Catholic in Ireland, raised to the distinguished and venerable situation of a judge, would have more practical influence in making that people understand and value the equal blessings of the British constitution, than the most eloquent statements of general principles; and as to any bias operating upon the mind of a Catholic judge where ecclesiastical interests were concerned, he did not believe there was any ground for the assertion. He had himself, when holding a judicial situation in India, frequently to decide questions which involved different ecclesiastical interests, and opposing religions, and he never felt his mind swerved for a moment from the strictest impartiality. He claimed no farther credit on this account, than for the possession of common sense; and he could not think so meanly of the Catholic lawyers, as to suppose they would sacrifice the dignity of the bench, the honour of their profession, and the virtues and character which alone could raise them to that exalted station, on account of bigotted notions, and doctrinal predilections.

The committee divided: For the Amendment, 169; Against it, 188: Majority 19.

Mr. *Goulburn* then rose to propose an amendment, which he flattered himself would meet with the general concurrence of the committee. The object of it was, to exclude Roman Catholics from being governors of colonies. To those who objected to the admission of Roman Catholics to any office, it was not necessary to adduce any argument, as it was impossible to anticipate opposition to this particular exclusion, and indeed the grounds upon which it rested were founded on principles so precisely similar to those on which the promoters of the bill had acted in the exclusions proposed by themselves, that it would have been equally impossible for him (but for what had fallen from the noble secretary of state) to have expected any opposition from them.—It appeared to him, that little more was necessary than to state the duties which devolved on governors of colonies, and which could not be withdrawn from them in order to prove that they ought not to be Roman Catholics. The House then should be aware, that governors held the office of ordinary, and holding that office, exercised within their governments episcopal functions; that they had in that capacity a control over all the clergy; the presentation to all vacant benefices; the regulation of all that relates to the repairs of the churches and to the general discipline and good order of the establishment. His noble friend had indeed stated, that it would be a great benefit to the colonies to divest the governors of their present right of presentation to livings, and to vest them in the government at home. He must beg leave to differ even on this point from his noble friend. It did not appear to him a trifling inconvenience to leave the presentation to a living in a distant colony, dependant on an authority with which no communication could be had in less than four or five months, and perhaps more, after the vacancy had occurred; and that too in climates which, from their unhealthiness rendered vacancies much more frequent than in more favoured countries. But when it was farther considered that the governor's authority was not limited to the mere presentation, that it comprised every possible regulation as to the discipline and good order of the church, and as to the proper conduct of the clergy in their respective situations, he would ask whether it was possible, consistent with any regard to the established church in those colonies, to leave all these matters to the precarious regulation of a distant authority.—The mover of the bill had thought it necessary to make some exceptions to the general admissibility of Roman Catholics to political offices. The exceptions, if resting on any principle, were founded on this, that Roman Catholics could not with safety to the established church, be entrusted with offices which gave to them a right of appointing ministers to that church, or a direct interference in its affairs. On this principle he presumed that Roman Catholics had been unanimously excluded from the offices of lord-chancellor and lord-lieutenant of Ireland. But was it known that the governor of every colony exercised within it, all the powers of the lord-chancellor and the lord-lieutenant; that his right of ecclesiastical appointment was far more extended than that of the lord-lieutenant. If, therefore, it was necessary for the security of the church of England that the chancellor of this kingdom should be protestant; if it was necessary for the security of the church of Ireland, that the lord-lieutenant should be protestant, how was it possible to admit, that, consistent with the security of the church in the colonies, the governors might be Roman Catholic? It might have been possible for the framers of the bill to have transferred the church patronage of the lord-lieutenant to other persons. There were in Ireland archbishops and bishops, whose qualifications to exercise such patronage could not be doubted. Divest the lord-lieutenant, therefore, and no great evil might result; but divest a governor of church patronage, and to whom shall it be transferred? Bishops in most colonies did not exist; and if any thought that it might be possible to find in every colony protestants of character and weight sufficient to enable them to receive a delegation of episcopal authority, they formed an opinion at variance with all knowledge of the actual state of colonial society. In all colonies (and more particularly in the West Indies) those who might from their property, be supposed likely to possess influence, were generally resident in Great Britain, and those who did reside in the colony, were either too much engaged in agricultural or commercial speculations to admit of their dedicating their time (supposing them qualified) to direct the ecclesiastical concerns of the established church. It had been stated by the member for Knaresborough, that as the law now stood there was nothing to prevent a Roman Catholic from being a governor. He (Mr. G.) had heard, with surprise, such a statement from the learned member, and he was convinced, upon examination, that it had no foundation. The uniform practice of 150 years had been to administer to governors the oath of supremacy, and the declaration against transubstantiation. This was at least a presumption against the correctness of the learned members opinion. With respect to the declaration against transubstantiation, he had no objection to admit that the law under which it was required (the 25th. Charles 2nd) was not clearly applicable to the case of a governor. But as to the oath of supremacy, there could be no doubt, but that the practice of requiring it could not be dispensed with, without a direct violation of a positive statute. The oath of supremacy in itself operated as a complete exclusion of the Roman Catholic; else why was the alteration of that oath the main object of the bill now before the House. The statute of Elizabeth, by which the first oath of supremacy was imposed, required that it should be taken by all "who received her highness's fee or wages in any part of her dominions," and the statutes of William and Mary, which substituted a new oath of supremacy, made no alteration whatever, as to the persons by whom it was to be taken. Unless, therefore, it was maintained, that governors did not come within the words of the statute of queen Elizabeth, the position of the learned gentleman could not be supported.—He did not urge his amendment upon the House on the same grounds as the amendments which the House had already rejected. It was not, that he apprehended any danger to the church or constitution of this country from the admission of Roman Catholics to the office of colonial governors: it was for the church of England established in the colonies, that he considered this a necessary guard. He pleaded in behalf of those who, being unrepresented here, had a stronger claim to the attention and consideration of the House, in behalf of a church which had had many difficulties with which to struggle, which had been hitherto much neglected, but which was now beginning to revive under the care of the general and the local government, and which could only be maintained by the constant superintendance of persons in power, really anxious from principle to extend its doctrines. The extent of the patronage which governors possessed was not an immaterial consideration for the House. In the West Indies alone there were no less than 71 livings, to which the governors possessed an unrestricted right of appointment; in other colonies the number was not inferior; the question, therefore, was simply, whether Roman Catholics ought to have the presentation to not less than 150 Protestant benefices? and upon this question he could hardly bring himself to doubt the concurrence of the House in the proposed amendment.

The committee divided: For the Amendment, 120; Against it, 163; Majority, 43.—The chairman then reported progress, and asked leave to sit again.

HOUSE OF COMMONS,

Wednesday, March 28.

ROMAN CATHOLIC DISABILITY REMOVAL BILL.] On the order of the day for going into a committee on the Bill,

Mr. *Hutchinson* said, that as the House had come to that stage when the enactments respecting the Roman Catholic clergy were to be considered, it became his duty to speak his opinion respecting them. Though he might offend some of the friends of the measure by the warm expression of his feeling, he assured them that nothing could be more foreign to his intention than to change the tone of the debate. He had been surrounded by several friends, deprecating the line which he had intended to pursue; he had received anonymous letters, cautioning him as to the injury he might do to the measure, and one even assuring him that he would injure his individual interest in the great city which he had the honour to represent. As to the latter threat, he had always assured the Catholics that he had never conceived himself entitled to their peculiar thanks, and that in supporting their claims, he felt he was supporting the interests and strength of the empire. Now, though he felt gratitude for the temper in which the present measure had been discussed by the opponents of the Catholics, and, though he approved of the bill for removing disabilities, he must deprecate the enactments, which were called securities, with which it was now to be accompanied. He thought it right that the House should not call for any securities: it was his firm conviction that they were not necessary; but if they were necessary, were there no others to be found than penal enactments against the Catholic clergy? The friends of the measure agreed, indeed, that the bill gave no security if there was any real danger; they agreed that it was highly penal, and would offend the Catholic clergy; but, said they, do not make any opposition to it, for, however penal it may be, if it is now passed to satisfy some unfounded apprehensions, an enlightened House of Commons will hereafter repeal it. His objection to the first clause was, that it imposed a compulsory oath on all Catholic clergymen—not only those who might hereafter enter into orders, but those who were already in orders. It was, as to the present Catholic clergy, an *ex post facto* law. What the punishment consequent on refusal was to be, did not appear. It might be transportation for life, or 14 years, or imprisonment for life, or any other heavy penalty. He wished to know an example in which any oath was in this *ex post facto* manner imposed to be taken. Many persons had great objections to take an oath on any occasion—not only Quakers, but often Protestants. Had they a right to say to persons who had already entered into a certain profession, "You shall take a certain oath, in order that the duke of Norfolk may sit in the House of Lords, and his son in the House of Commons?" The House was not aware in behalf of how important a body of men he was speaking, when he raised his voice in behalf of the Catholic clergy. There could not be a more respectable, or more powerful body, or one that exercised its power more beneficially; and nothing could be so mischievous as to place them in this invidious situation, that justice should not be done to the nobility and gentry of their persuasion, unless they (the clergy) consented to degrade themselves. There were in Ireland four Catholic archbishops, 25 bishops, 200 parish priests, 800 curates, and between 2 and 300 regulars. They were the most ancient clergy of either island. The only parallel to the oath now imposed upon them, was that imposed after the revolution in France, for the refusal to take which, the clergy was subjected to deportation, the consequence of which was, that they fled to all parts of Europe. The hon. member for Bramber had a strong impression that the establishment of the order of Jesuits in England should be resisted. He could inform the hon. member, that that order did not exist in

England or Ireland canonically. The pope had objected to it precisely on the ground that it was objected to by the British government. He should not urge his objection further. He had received no instruction from the clergy of Ireland, except a letter from Dr. Murphy. The bishops were, he understood, calling together their clergy in their several provinces. He would ask the noble lord, who had displayed his talents never so conspicuously as in these discussions, what the effect would be, if the clergy should decide not to take the oaths? If the Catholic clergy had decidedly approved of the measure, he might have been silent, though he disliked the principle; but as what he had heard from them on the subject was disapprobation, he could not for any set of men play a trick with his conscience, or with the people of Ireland, but must express the disgust and abhorrence which he felt for these enactments.

Lord *Castlereagh* was at a loss to know on what grounds the hon. gentleman would represent this measure, as harsh or derogatory, or why, in the discharge of his duty, he had given so odious a view of it. He could not regard the character of these clauses as penal in a high degree; indeed, scarcely as penal at all. They were rather, he contended, clauses of liberation; and gave an existence to them which they never had enjoyed before. Formerly the Catholic clergy of Ireland, and, strictly speaking, at the present moment, in their communications with the see of Rome, were in the constant habit of incurring penalties under the existing law, which might effect, not only their personal security, but their lives. He therefore looked at this as a measure of indulgence rather, which permitted that intercourse, with the sole provision of observing the terms of a certain oath, which being done, the communication became, in a measure, legalized instead of an offence. He contended, that it was the duty of the House to pass this measure without consulting the particular sentiments of individual clergymen, if members entertained, with himself, a conscientious belief of the beneficial advantages it would confer. He had the authority of the head of the Catholic church for saying, that there was no solidity in the objection taken on the other side: thus he was legislating with the pope at his back [a laugh.] The general practice of Europe showed that we had a right to expect these securities. He hoped that the hon. gentleman would not lend his authority to raise scruples which ought never to be excited in the mind of any reasonable man. He was confident that there was enough of sound principle and solid judgment among the Catholic clergy, to induce them to coincide in the decision of the head of their church. He could only say, in conclusion, that if he thought these provisions degrading to that body, he should not only be an unwise, but a base minister to recommend them.

Dr. *Phillimore* spoke in favour of the proposed securities, because, among other reasons, the faith of the House was pledged to enact those securities in conjunction with the bill of Concession; therefore, if the one were rejected, he should feel himself bound to vote against the latter.

Mr. *Peel* adverted to what was called the irritation and unpopularity excited among the Catholics, in consequence of the proposed securities; and begged it to be understood, that no part of that irritation or unpopularity could be ascribed to him, or to those who had acted with him upon this subject, as they had nothing to do in proposing or framing such provisions. Those provisions, indeed, originated solely with the advocates for concession. At the same time, he thought it right to say, that the party with whom he had the honour to act, was not at all disposed to make common cause with such objections as had been urged that night against the provisions alluded to, or to obstruct the measure under consideration, by contributing to excite irritation against it, upon such grounds as had been stated.

Mr. *M. Fitzgerald* argued, that while the House endeavoured to satisfy the alarms of the Protestant, it ought to take care not to trench upon the feelings, consciences, or even prejudices, of the Catholic. His objection to the oath in the bill was, that in the present measure no benefit was conferred on the clergy; while a security was demanded from them for a privilege granted to the laity. In the present deserted state of Ireland, deprived of its resident nobility and gentry, many parts of the country depended for tranquillity upon the unbought zeal and good principles of the Catholic clergy. With regard to the nomination to Catholic benefices, he was decidedly hostile to any interference that placed that nomination in the hands of a Protestant government. On this point he referred the House to the great authority of Mr. Burke, whose incontrovertible arguments were applicable to all times and to all circumstances. Upon the whole he was disposed to think the measure, properly regulated, a real act of union between the two countries.

Mr. *Canning* felt himself called upon to declare, that unless the securities proposed were acceded to, he could not reconcile it to his sense of duty to vote for the enactment of the concessions. The Protestants, by agreeing to those concessions, had sacrificed much of interest, as well as of prejudice, and, was the House to be told that the Catholics would not in return sacrifice any thing? But it was clearly understood from the outset of these measures, that both should be adopted for the purpose of satisfying the Protestant as well as the Catholic; and was it possible to suppose that, after the measure of concession had made such progress, it could be seriously intended or desired to violate that understanding by opposing the measure of securities? If any man could meditate such a step, he was sure that failure must be his fate: for who could be found to sanction an attempt to deprive the Protestant of that price which it was agreed he should be paid for conceding to the wishes of the Catholic? For his own part, he trusted that the conduct which he had uniformly pursued with regard to this measure, placed him above the suspicion of participating in the slightest degree in such an act of treachery. He had done enough, he hoped, to prove that he was most sincerely desirous of effecting the emancipation of his Catholic fellow-subjects from the restrictions under which they laboured; but, if a successful attempt should be made to detach from the bill those clauses, which would have the effect of reconciling the Protestant part of the community to the measure, from that moment, with the same hearty sincerity with which he had sacrificed every consideration to do justice to the Catholics, he would altogether reject the bill, which, passed in that mutilated state, would be a fraud upon the Protestants.

Sir *G. Hill* said, that if he were really disposed to procure the rejection of the measure, he thought he could not more effectually promote such an object than by supporting the proposition of the member for Cork. With regard to the necessity of enforcing the two main securities for the maintenance of the Protestant interests, he would read to the House the words of a distinguished statesman. "In granting an extension of the civil rights of the Roman Catholic body, due provision must be made for the inviolable maintenance of the religious and civil establishments of the United Kingdom. Much must be done for mutual conciliation, much for common safety. Many contending interests must be reconciled, many jealousies must be allayed, many long-cherished and mutually destructive prejudices must be eradicated." Such were the sentiments of a distinguished member of the other House, which, in his opinion, over-balanced all the arguments he had heard against the necessity of securities. He declared, however, that if the present bill should pass, no member would be more anxious than himself to reconcile all parties to the measure.

Mr. *Martin*, of Galway, said, that if there was one county in Ireland more likely than another to return a Catholic representative to that House, it was the county he represented. That consideration, however, would not prevent him from supporting both the bills.

Mr. *Baring* said, that, in his opinion, it would be better not to insist upon the oath being taken by those at present in holy orders. There might be many conscientious persons, by whom it might be considered as a severe penalty; but the same argument would not apply to those who might take up holy orders in future, because they would then take them with a knowledge that they would be afterwards obliged to conform to the present act.

Mr. *S. Rice* expressed his conviction that the feeling of all the well-disposed Catholic population of Ireland was favourable to the bill. The hon. member read a letter from a Catholic of the highest character, in which the Catholics were stated to be thankful to the legislature for the kind concessions which were extended to them. He should support the second bill, not because he apprehended danger from the Catholics, but because he wished to remove the fears and apprehensions of the Protestants.

Mr. *P. Moore* said, he had been engaged in a very extensive correspondence upon this subject; and he believed that it was in a great measure owing to his exertions that the bill was this year brought before the House [a laugh]. From the information he had been able to collect, a general unanimity prevailed among the Catholics with respect to this bill, though there might be some ardent spirits still at work, who would neither be reconciled to that nor any other measure.

Colonel *Bagwell* was convinced that the measure would be gratefully received by the Catholics of Ireland, and that it would promote the tranquillity and security of the country.

The bill then went through the committee, and was ordered to be reported to-morrow.

HOUSE OF COMMONS.

Thursday, March 29.

Napoleon Buonaparte.] Mr. *Hume* rose to move for an account of the expenses of the detention of Buonaparté at St. Helena. If it were right to detain Napoleon at all, he would contend, that, in the present financial difficulties of the country, he might be safely detained at one-tenth of the present expense. He had an estimate of those expenses for 1819, and he was not aware of any reduction since. It amounted to considerably more than 400,000*l.* He understood that government had lately engaged with the India Company, that the Company should pay all expenses, and that they should be paid by government a sum equal to the amount of the average expense for the last three or four years. He thought that the other powers of Europe ought in fairness to bear a part of the expenses of detaining Napoleon. Seven years had expired since the termination of the war. It was too severe to see England, immersed in financial difficulties, obliged single-handed to pay the entire expenses attending the confinement of the late emperor. He concluded by moving, for Copies of all Correspondence between the government and the East India Company, respecting the expenses attending the detention of Napoleon Buonaparté; also an Account of the Expenses of the Staff, the Troops, the Ships of War, and Transports stationed at St. Helena.

The *Chancellor of the Exchequer* did not mean to object to the motion; and when the House had the papers before them, they would see if the detention of Buonaparté could be attained by any more economical plan.

Sir *R. Wilson* said, that as this was the first opportunity which presented itself since he had been in that House, for alluding to the subject of Buonaparté's confinement, he wished to avail himself of it for entering his most solemn protest against that act [A laugh]. Hon. gentlemen might laugh, but he was speaking the sentiments of every generous man in Europe. His detention was contrary to every feeling of generosity and humanity, if they considered how he was separated from his family, and even from his infant child. It was the more ungenerous, when we considered that he had put himself voluntarily under our protection. He (sir R. Wilson) had it from an individual who made him the offer of taking him to America, that he refused, because he preferred throwing himself upon the good faith of England. If he had not done this, he might have escaped, for the vessel in which he was offered to be conveyed afterwards arrived safe in America. The conduct which had been subsequently pursued towards him was a national dishonour: and if ever France should regain her freedom, although she would never receive him as her sovereign, yet he was convinced that she would not suffer him to be detained in his present situation.

Mr. *Croker* denied that this country had been guilty of the slightest breach of faith. It was a well-known fact, that the night before Napoleon surrendered himself, he held a council of war, or rather of safety, in which the question was discussed, whether Napoleon had any possible chance of escape? It was decided that he had not. Napoleon, who judged with caution, saw no means of safety but in surrendering himself to a British officer. He surrendered himself with reluctance. When he came on board the English vessel, he was told that no treaty could be made with him, and that he must wait the final determination of the English government. If the hon. member should bring the question before the House in a more formal shape, he would prove, to the satisfaction of the House, that Napoleon had been fairly hunted into the toils, and that the honour of the country throughout the whole of the transaction was free from reproach.

Mr. *Hume* said, that he thought the

conduct which had been shown towards that individual more blameable than the policy which dictated his original detention. He thought there had been a degree of severity exercised towards him which the House would never sanction.

Mr. *Hutchinson* expressed his decided disapprobation of the detention of Buonaparté. It was disgraceful to this country, that she should be made the gaoler of the allied powers; not for any object having the security of the state in view, but evidently in furtherance of those despotic principles which were avowed by the Holy Alliance.

The motion was agreed to.

ROMAN CATHOLIC DISABILITY REMOVAL BILL.] On the order of the day for bringing up the report of this bill,

Sir *T. Lethbridge* said, he should postpone his opposition to the bill until the third reading, when he hoped it would be seriously discussed. He was informed that the measure was disagreeable to the Catholics of Ireland, and he could not see how they could be contented with that part which had formed the second separate bill.

Mr. *Abercromby* regretted that the hon. baronet had not been in his place upon a former night; for in that case he would have heard a succession of Irish members bearing testimony to the general satisfaction which the measure gave to the loyal and intelligent Irish Catholics. It no doubt would give dissatisfaction to others; for it would reduce some who possessed an unworthy desire of power to a state of deserved insignificance.

Mr. *Martin*, of Galway, said, he had several letters from leading Catholics, expressing themselves satisfied with whatever the House should agree to on this subject; and also their confidence that the clergy would be finally reconciled to it. He understood that Mr. O'Connell, who wished to get up an aggregate meeting in Dublin, could not get nine persons to sign the requisition. Mr. O'Connell might naturally regard the measure with no particular anxiety, as he might feel convinced that if it rained offices as thick as hail, one would never fall on his head.

The report having been read,

Mr. *Croker* rose to propose a clause to which he had already called the attention of the House, with regard to a provision for the Catholic clergy. From the manner in which this proposition was received, when he first mentioned it, he was led to conclude that its principle was generally approved by the House. That it was a measure of vital importance, could not be rationally denied. He had not, indeed, conversed with any one, either within or without that House, who objected to the principle of his proposition. His right hon. friend who had brought forward the bill, had, no doubt, objected to his proposition, not upon the ground of principle, but of time and expediency. Therefore, he was induced to wave his purpose until the present moment. On the ground of expediency, it was urged by the learned proposer of this bill, that a measure of this nature should proceed from the government. But to such an opinion he could by no means subscribe; for by what constitutional rule could it be maintained that a grant of money should originate any where but in that House, or be voted by any other power than that of the parliament? But, to what government was it meant to refer for such a grant? Why, to a government divided against itself; scarcely two members of which were *ad idem* upon this point respecting the Catholics. That it would belong to government to consider the extent and apportion the distribution of the money to which his motion referred, he was ready to admit; but although it would be for government to execute, it was not for government to begin such a measure. Again, it was urged, upon the score of expediency, that before a measure of this nature was submitted to the House, it would be right to consult the Catholic clergy of Ireland, whether they were willing to accept such an allowance. But, if the clergy should express a wish for the proposed grant, what must be the consequence to the peace of Ireland, should their hopes be dashed by the dissent of parliament from the proposition? He was convinced that the most important good could be done at a paltry expense. The details which he had collected, he had embodied into a bill. Another objection to his proposition was, that the adoption of it might endanger the success of this bill. But, was danger to be apprehended from the clamour of Dr. Milner, or those who co-operated with him? How strange, that those who assumed the attitude of wise statesmen, should deprecate the measure he proposed, although convinced of its justice, merely from an apprehension that its adoption might excite the clamour of individuals. His right hon. friend had described the present measure as one which was to put an end to the dissentions which had distracted Ireland. And how was the House going to make this final compact? Why, by leaving one of the most important subjects out of the treaty. By such a proceeding, dissention would be kept alive; and when they considered themselves safe in port, they would be once more obliged to put to sea. If he were asked to state the quarter from which danger had always been most apprehended, the Statute Book would answer for him. The very first penal statute for suppressing disloyalty was levelled, not at the laity, but at the Catholic clergy of Ireland. He should have considered himself guilty of a neglect of duty, if he had not endeavoured to procure the assent of the House to the principle of making an adequate provision for the Catholic clergy. With regard to the extent of that provision, he thought it should enable them to maintain themselves with a suitable degree of respectability. At the same time, it ought not to be so large as to render them wholly independent of their flocks. He concluded by moving a clause, recognising the expediency of the principle of making a provision for the Catholic priesthood.

Lord *Castlereagh* rose to express a strong doubt as to the propriety of the course which his hon. friend was pursuing. No individual could feel more deeply than himself the expediency of following up the bills before the House, by some such measure as that which his hon. friend was desirous of effecting; but the question was, whether this was the proper moment for proposing it? He had no doubt that, if the subject were brought forward at the seasonable moment, it would meet with that general concurrence, which would afford the best pledge to the Catholic clergy of the desire of parliament to contribute to their comfort. The motion was inadequate to its object; for it could only be rendered effective through a recommendation from the Crown. If the clause proposed to be brought up were now agreed to, the measure could not be final; for they would still have to determine the scale of expenditure. So far from forwarding the object in view, the proposition would have the effect of placing the measure in a retrograde position. Besides, it would come more properly as a mark of grace and favour from the Crown. Under these circumstances, he trusted his hon. friend would consent to leave the question in a state of amicable repose. If it were agreed to at this time, it might be considered as a sort of bribe held out to the Catholic clergy; and he owed it to that respectable body, to declare, that when he was authorized, under lord Sidmouth's administration, in 1805, to communicate to them that it was in the contemplation of government to make a similar proposition in their behalf to parliament, they stated, in the most respectful and disinterested manner, that they could not, consistently with duty and honour, receive such a mark of grace and favour at that moment.

Mr. *Hutchinson* deprecated the introduction of the measure at any time, without a perfect understanding between the Catholic clergy and the government.

Mr. *Croker* said, that his object was, in a great measure, gained, by the admission of the principle which he proposed; and therefore, with the leave of the House, he would withdraw it.

The clause was then withdrawn, and the report agreed to.

TIMBER DUTIES.] The House having resolved itself into a committee on the Timber Duties acts,

Mr. *Wallace* called its attention to the report of the committee on the Timber Duties, and said he had now to propose such resolutions as from that report the commercial interests of the country appeared to require. It was known to the House, that previously to 1809, a supply of timber was obtained almost exclusively from the north of Europe. Subsequently the supply was partly obtained from the north of Europe, and partly from our North American colonies. It was impossible to look at this subject without perceiving, that in the course of no very long time, if the present system was continued, one of the two must become predominant, and the other completely annihilated. The annual importation of timber, from 1803 to 1806 from the north of Europe, was as follows:—Fir timber 218,857 loads; deals 45,938. From 1816 to 1819, there had been a great diminution in the annual imports from the North. Their amount was—Fir timber 93,659 loads; deals 21,824. On both, it would be seen that the reduction considerably exceeded one-half. The timber imported from our North American colonies averaged, in the years from 1803 to 1806, 10,519 loads. The average from 1816 to 1819 was 188,322. The imports from the North of Europe in the years 1818, 1819, and 1820, exhibited a greater decline, and were as follow:—1818, 130,000 loads; 1819, 102,000 loads; 1820, 59,000 loads. In the mean time the imports from our American colonies were—In 1818, 214,000 loads; in 1819, 267,000 loads; in 1820, 253,000 loads. The right hon. gentleman then proceeded to say, that, whatever was due to our colonies, to sacrifice the great principles of commerce and the most valuable interests of the country, in a way which could not fail to influence prejudicially our commercial relations, was neither essential to the protection of our colonies, nor just with regard to our general interests, nor sound policy in reference to the northern countries of Europe. This state of things could not be otherwise, where the duties were exorbitant, and the protection enormous. This had given rise to very considerable dissatisfaction in the northern countries, and had materially affected in that quarter our commercial relations. The measure which he had to propose, he did not look upon as of much importance either to Russia or Prussia in the value of timber exported; as the invoice price of wood annually exported from either of those countries to Great Britain did not exceed 100,000*l.* Nor did he regard it as having a very important result upon the state of our manufactures; but he considered it of the greatest moment, as being the first step in receding from a system detrimental to our commercial relations, and towards conciliating those foreign powers, without whose good will the relations of mercantile intercourse could never be securely established. He then went on to remark upon the heavy rate of duty upon the Baltic timber, which he stated to be double the prime cost, and equal to a tax of a million sterling. He repeated, that this enormous duty was injurious to our general interests, while the system was calculated for the exclusive benefit of those connected with the colonies, or the ship-owners who conveyed the timber from our American dependencies. He then touched upon the history and progress of the duties, and said they commenced in 1810, when, from the line of policy pursued by France, it appeared probable that we should be prevented from receiving supplies from the north of Europe. The protecting duty then put on was 2*l.* 1*s.* with an addition of 25 per cent in the Customs. It was said, that this duty ought to continue, because it pledged the faith of parliament, in order to induce the colonist to vest his capital in the trade; but he thought the faith of parliament had been redeemed by the protection hitherto given to the capitalist, who, under that inducement, engaged in the trade originally. But, all that amount of duty was not laid on for the purpose of protection; part of it was for revenue. Now he did not mean to interfere with the former; it was only so much of it as was laid on for the sake of revenue, that his measure meant to affect. A curious argument had been advanced on this subject, which went to say that parliament had no power, even over this, because the act of 1816 had made it perpetual; but, in parliamentary language, the making an act perpetual, only meant that it was not to expire at a given time. No man who was acquainted with that language could suppose that it implied any thing like the absence of that discretionary power which parliament had to alter or repeal its own acts. The question, then, was, whether the existing duties should be altered, and to what extent? The effect of the duty on Baltic timber was to introduce from the colonies an immense excess; he believed that excess exceeded the annual consumption by 100,000 loads. The merchant who would regulate his proceedings by the real demand was thereby driven out of the market, and the trade was in consequence carried on by colonists and ship-owners. It then became a question of shipping; and the ship-owners were the only class of mercantile persons who gave determined opposition to any attempt to repeal or modify the duties. The right hon. gentleman then proceeded to answer the argument grounded upon the employment necessarily given by the trade with the colonies to our shipping and sailors. As to the shipping, it was the worst in the merchant service; in fact, ships that were good for nothing else were employed; and, with respect to the sailors, they were not the only persons which the change from peace to war had put out of employment. As to the danger to be apprehended to our navy, on the breaking out of a new war, in case of a diminution of the number of our seamen, there was no ground for it; we had now 50,000 more employed than were employed in 1793. He could never believe that the country was to be served by sacrificing one interest to another. The only means of recovering our commercial greatness was by the opening of new channels for trade; but these could not be created unless we laid aside all narrow and restrictive policy with regard to our intercourse with foreign nations, and acted on the liberal principle of mutual encouragement, and reciprocal advantage. He denied that there was any ground for the allegation, that if the trade with the northern nations was increased, we should not come in for our full share. He likewise showed the decrease which had taken place in the exports of our manufactures to the Baltic, since the imposition of the heavy duties on timber, while the increase to the colonies had been very slight. He then moved, "That the several Duties of Customs payable on the Importation into Great Britain of Timber and certain articles of Wood, do cease and determine, and the several and respective Duties and Drawbacks following be paid in lieu thereof."

Lord *Althorp* contended, that the Canada trade, was an immense tax upon this country, and seemed to be kept up for the purpose of working ships which were unfit for any other service. The policy pursued was quite at variance with true commercial principles. The fair course would be, to lay a duty of 50*s.* upon Baltic timber, and 10*s.* on Canada. He also suggested whether it would not be proper to fix a duty on deals by cubic measurement, instead of the present way.

Mr. *Marryat* said:—I cannot agree to the resolutions proposed, and still less to the improvements upon them suggested by the noble lord; because one of them, so far from being founded on the evidence given before the committee, is in direct opposition to that evidence. Another objection which weighs very strongly on my mind, as well against the resolutions as some passages of the report itself, is, that both of them betray too great a leaning to the principles laid down in the petition of certain merchants of this metropolis, presented last session, which called upon this House to take off "all duties merely protective against foreign competition." In conformity to this doctrine, it is now proposed to diminish the protection hitherto given to our colonies and our ship-owners, in a degree that will prove highly injurious to both, and give a monopoly of the timber trade to foreigners. If we comply, in this instance, with the request of the disciples of the new school of political economy, and establish what they term "a sound principle, a standard to be referred to in all subsequent arrangements," we must follow it up in every other case, and shall soon ruin every class of the community.—If we had a new order of things to establish, an unrestricted intercourse between all nations would be the most beneficial system; but we are in an artificial state of society. We have an immense national debt, and the taxation we bear to provide for the interest of it, enters into the price of labour, and every thing that is the produce of labour, and makes it impossible for us to maintain an equal competition with foreign nations. We have returned to a state of peace, loaded with a debt of 800 millions, instead of 200, which was the amount before the war, and therefore are less capable than ever of bearing that foreign competition with which we are again brought into contact. We are pursuing a wrong course, in attempting to increase the sale of our manufactures among the European powers. Most of them manufacture for themselves; and use every practical means to secure their own consumption to the industry of their own subjects. Those who do not, will only take from us what we can supply them with cheaper than their other neighbours. Our home consumption, and our colonies and dependencies, take off 6-7ths of all our manufactures; and our only reasonable expectation of extending their consumption, is among distant nations, who do not manufacture for themselves, and who will take our goods in exchange for their productions. The obvious tendency of a free trade is to make rich countries poor, and poor countries rich; because poor countries, where articles are cheap, will undersell rich countries where they are dear, until the inequality between them ceases. This, therefore, is a very proper system for those who are poor to recommend, but not for those who are rich to adopt.—My objections to taking this fresh step in the new career recommended to us, of abolishing all restrictions on foreign competition, are not only the injury that would be done to our ship owners and colonists, by what the report terms "a recurrence to those sound principles by which all commerce ought to be regulated;" but the consequences that must ensue to all the other great interests of the country. My impressions on this point are confirmed by the testimony of a most intelligent witness, examined before the committee, who declared, that our prohibitory duties on foreign linens are considered in a more invidious light than our high duties on their timber; that our prohibition of their corn, under the present corn laws, is very obnoxious to Russia and Prussia; and who being asked whether the reduction of our duty on their timber would remove the unfavourable disposition they entertain against us, unless followed by the removal of the restrictions on the other articles, he answered, "It would contribute to such an effect, chiefly, as an earnest of a more liberal system." Justice and reciprocity, not liberality, ought to be the basis of our intercourse with foreign powers; but, if we open to them those great sources of consumption which furnish employment for our own domestic industry, in the expectation of deriving correspondent advantages from them in return, I fear we shall be grievously disappointed. While I contend that protection against foreign competition is absolutely necessary, I beg leave to distinguish between protection and monopoly; and to observe that it should be bounded by such limits, as the interest of the community at large require. If any class attempt to carry it farther, the foreign competitor ought to be let in, and prevent an undue advantage being taken of the public. Under such limitations, protection is necessary to almost every class of the community. When I have brought up petitions from the British ship-owners, and the British colonists, praying for protection against foreign competition, they have sometimes been treated with asperity, and the petitioners represented as selfish and unreasonable; and this, too, by landholders and gentlemen of the sister kingdom, who might be expected to consider with indulgence the claims of others to the same protection as they receive themselves. As to the landholders, the protection against foreign competition given to them by the corn laws, amounts to not less than thirty millions per annum, which the British consumers pay them for the produce of their land, more than they would pay for it, if it could be imported without restrictions on foreign competition. Wheat would then be sold here at 40*s.* per quarter; land would not pay the expense of cultivation, and be of as little value as the wildernesses in the British provinces in North America, where the timber grows, the duties on which we are now regulating. Ireland enjoys the same protection for her agriculture as Great Britain; and her staple manufacture, linen, is protected from foreign competition, by duties on foreign linens, amounting to from 50 to 90 per cent; and still farther, by a bounty on the exportation of Irish linen, of 1½*d.* per yard; which, on the coarser qualities, amounts to about 17½ per cent more. Nay, so great is the horror of foreign linens, entertained by the gentlemen of the sister kingdom, that they have extorted from government the continuance of a transit duty of 15*s.* per cent on its being warehoused here for exportation; under an erroneous prejudice, which is injurious even to themselves, and highly so to the best interests of Great Britain. Let them read the memorial lately presented to the Russian government by the sugar refiners at St. Petersburgh, and they will find that the transit duty on foreign linens is made the ground of retaliatory measures of a most severe nature. During the late war, the numerous expeditions fitted out from this country required a great number of transports. The ship-owners met the demand, built an additional number of vessels, and supplied the exigencies of the public service. At the close of the war, government having no longer occasion for them, these transports were discharged; and, at the same time, many of the colonies captured from the enemy having been restored, the ships engaged in bringing their produce to Great Britain were also thrown upon the hands of their owners; the remaining branches of our commerce being insufficient to give them employment, the value of shipping depreciated more than 50 per cent, and freights were so reduced, that those ships which found employment, instead of giving any profit, were navigated at a loss to their owners. Under these circumstances, all the protection the ship-owners ask is, that you will not alter the existing duties on timber, and transfer that trade to foreigners, which is at present carried on by them from the British colonies. If you do this, you deprive them of their only resource, and devote them to inevitable ruin. The British colonists, in support of their claim for protection against foreign competition, state that they were encouraged to engage in this timber trade by a specific pledge on the part of government, "that a decided preference would be given to timber, the growth of his majesty's colonies in North America," in consequence of our being excluded from any supply from the northern powers of Europe. Under this assurance, and in this exigency, they formed expensive establishments, and supplied the wants of the mother country. The Report states, that, "so far from any expectation being held out that the encouragement so given had been considered by government as permanent, or was intended to be indefinitely continued, means seem to have been studiously taken to produce by explanation a conviction of a contrary tendency;" but the only document I have seen which justifies this assertion is Mr. Lack's letter of the 25th Feb. 1817; and this refers to the additional duty of 10*s*. 3*d*. imposed on Baltic timber in 1813, and expresses the conviction of their lordships, "that a duty to the same amount might be laid on timber from the British North American colonies, without being prejudicial to the great interests concerned." The ship-owners remonstrated against this duty, and on the 20th Feb. 1818, Mr. Lack wrote again, "that upon a full consideration of all the circumstances of the case, it is not at present the intention of government to submit to parliament any alteration of the law as it now stands. The chairman of the ship-owners has publicly denied having received any communication which he did not make public; and every witness from the British colonies, examined before the committee, declared that they considered the duties permanent, excepting that of 10*s*. 3*d*. and that they acted in full confidence of the continued protection of government. They farther state, that this trade is now grown up to a magnitude, that renders it of the utmost importance to the British colonies; that persons engaged in agriculture find employment in cutting timber and conveying it to the shipping places during the winter; when all other occupations are suspended; that the increased population thus employed, has given great encouragement to agriculture; that a great number of emigrants have been enabled to settle in that country, by merchants advancing to them the supplies necessary for their support, until their lands were brought into a state of cultivation, and taking their payment in timber; that the export of their timber now forms a large proportion of their means of importing the manufactures of the mother country, and that if this trade is discouraged, their imports must be discontinued, their agriculture decline, and their population emigrate for want of employment. They urge, that if you interrupt the trade of an independent power, to whom the commerce of all the world is open, it may be directed into other channels; but that as you bind them to trade with the mother country alone, if you refuse to protect their produce, they are left without resource. They contend that the restrictions you impose upon them, of taking all their supplies from you, and shipping all their produce to you, and that in British ships, thus making their industry contribute in every possible way to your great objects, of finding marts for the consumption of your manufactures, and maintaining your naval power, gives them an unanswerable claim to protection against foreign competition; and that you must either continue that protection, or they will be unable to bear your restrictions. Political considerations of the highest importance support the claims both of the ship-owners and the colonists. We should seriously consider the consequences that may ensue from destroying a branch of trade that, in 1819, employed 17,500 British seamen, being 3,500 more than are voted for the whole service of the navy, and the danger of driving these men into the employ of foreign, who may perhaps soon again become hostile, states. We should also reflect upon the impolicy of making ourselves once more dependent upon foreign powers for the supply of timber for the use of our navy; who may avail themselves of that circumstance to exclude us from their ports, and reduce us to the necessity of making peace on their own terms. The importance of the British colonies in North America is very great, and if they continue to flourish as they have done, they will soon become an effectual barrier to the ambition of the United States; but if otherwise, a discontented and diminished population will submit to them on the first attack. If you lose those colonies, you will not long retain those in the West Indies; for they will become dependant upon the United

States for their means of subsistence, as well as for their supplies of timber: and the wants and interests of mankind will bring them together, in spite of all obstacles. The government of the United States is well aware, that, if she increased her duties on British manufactures, they would find their way into her territories through the British provinces, without paying any duty whatever; but let her once become mistress of them, let her command the continent from the Mississippi to the St. Lawrence, and she would possess the means of making her Non-intercourse and Non-importation acts effectual; these provinces are the only check you have upon her policy.—If we look at the present state of the timber trade, as divided between our own colonies and the Northern powers of Europe, we shall find that the imports from the latter have exceeded those from the former, on an average of the last three years; and, therefore, the northern powers have no reason to complain that they do not enjoy a fair participation in the trade. They complain indeed of great losses, and so with equal truth do the traders from the British colonies; but this competition, though injurious to the importers, has been beneficial to the British consumers of timber, by lowering the price of the article. As no charge of want of liberality can justly be brought against us by foreign powers, in our present regulations of the timber trade, we have a right to consider our own interests alone, in any alterations we may think it advisable to adopt, and probably our manufacturers should be the first object of our attention. The report states, that in so far as any alteration introduced is favourable to foreign trade, it must have a tendency to produce an increased importation from the north of Europe, and thereby possibly to induce an increased demand from that quarter, for the manufactures of Great Britain; and it goes on to state that, "your Committee are inclined to believe that an increased demand would be the result." That the export of British manufactures to the northern powers of Europe, does not depend upon our import of their timber, is manifest. In the years 1817, 1818, and 1819, when the import of their timber was so much diminished by the competition of the British colonies, the export of British manufactures to these powers was nearly three times as much as in the years 1799, 1800, and 1801, when they had the whole of the timber trade in their own hands. The power particularly spoken of by one of the witnesses, as feeling this strong desire for British manufactures, is Norway; and if really felt, it appears singular that it has not been gratified, for a statement is given by another witness, showing that her shipments of timber to this country, in the three years 1817, 1818, and 1819, amounted to 820,000*l.*, and that her returns taken in British manufactures, during the same period, amounted only to 323,000*l.* so that she has the means, but wants the will to increase her use of British manufactures. In short, if we consult the interests of our manufacturers, we shall encourage the trade with our colonies in preference to that with foreign powers, because foreigners only *may* deal with us, but our colonies *must.* The consumers have an interest both in the quality and in the price of timber, and the evidence given before the committee is highly valuable, as it serves to correct the violent prejudice that had been excited against the colonial timber, by the report of the Lords committee. The colonial timber is certainly inferior to the Baltic; but answers as well for many purposes; and by coming into competition with it, keeps down the price for the benefit of the consumer. It has been asserted that to encourage the import of colonial timber, is to oblige the public to pay a higher price for a worse commodity. If the colonies applied for an act of parliament to give them a monopoly of the timber trade, the objection would be just; but as every one is perfectly at liberty to give the preference to which timber he pleases, at the difference of price, it surely is not very reasonable to complain of having the option.—One of the resolutions before the House proposes a reduction of the present duty on foreign timber; in direct opposition to the evidence given before the committee. All the witnesses practically concerned in the trade, state, that the effect of this measure would be to raise the price of the article abroad; and not to lower it to the British consumer. It also appeared in evidence, that both the Russian and Prussian governments have either reduced, or wholly taken off, the duty they formerly imposed on the export of timber, in order to enable their subjects the better to maintain the competition to which they were exposed with our colonies. We may, therefore, reasonably conclude, that when that competition is diminished, these duties will be revived, and thus we shall sacrifice our own revenue, either to increase the revenue of foreign powers, or for the advantage of foreign individuals.—Another objection to reducing the duty on Baltic timber is, that by so doing, we shall diminish the protection and lower the value of British timber. British oak, of small sizes, now sells at only 4*l.* per load; and of sizes fit for ship-building, from 40 to 60 feet metings, at 6*l.* per load. These prices will not remunerate the grower; and if you reduce them still lower, you may bid adieu to all expectation of an adequate supply of native timber. These considerations all tend to show the impolicy of reducing the duty on Baltic timber. That part of the resolution which recommends the imposition of a duty on timber from the British colonies, is supported by the evidence, and not objected to by the colonists themselves, who allow that it would have the effect of making them more careful, both in the selection and conversion of their timber, and tend to improve its character and value in the British market. This, then, is merely a question of degree, and the only point at issue is, what duty it can safely bear?—The nett proceeds of a load of colonial timber, which costs 18*s.*, are only 5*s.* 4*d.*, leaving a loss of more than 70 per cent to the importer. To impose a duty of 10*s.* per load on colonial timber, and take off 10*s.* from the Baltic timber, must altogether crush a trade already labouring under such disadvantages. The number of ships employed in the timber trade to the colonies last year, was 260 less than in the year before. Overtrading naturally leads to undertrading; and any violent corrective in the shape of duty, applied to a trade thus circumstanced, would destroy it altogether. Another consideration is, the doubt whether government do not stand pledged to the continuance of the existing protection, with the exception of the additional duty of 10*s.* 3*d.* imposed in the year 1813. From these considerations I shall oppose any greater duty; and when the House considers, that the whole amount paid for colonial timber goes into the hands either of the British manufacturer or the British ship-owner, and thus contributes to the support of national industry and national revenue, while the amount paid for foreign timber, except the freight of that proportion of it which is brought in British ships, goes into the hands of foreigners, without producing the same beneficial results, I trust that they will think the remaining protection left to the timber of our colonies is not more than sound policy requires. I shall move, in a proper stage of these proceedings, that the duty on Baltic timber, instead of 55*s.* per load, continue at 65*s.* per load.

The resolutions were then agreed to.

HOUSE OF COMMONS.

Friday, March 30.

CAPITAL CRIMES DEFENCE BILL.] Mr. *Martin*, of Galway, in moving the second reading of this bill, observed, that there could be no doubt of the broad principle, that a prisoner charged with any offence ought to have the same means of defence that the prosecutor had of attack. In treason, the prisoner was allowed counsel; but not in the crime next in degree, capital felony. It had been said, that the court was always counsel for the prisoner. On the contrary, he contended, not only that they were not, so, but that they ought not, and could not be so. Again, adverting to the trial of Bellingham, he maintained, that the failure of Bellingham to obtain a postponement of his trial, on an affidavit stating the necessary absence of a material witness, was attributable to his not having counsel to enforce his claim. The hon. member proceeded to state the circumstances of the apprehension of an Irishman for supposed burglary, and his trial at Croydon, in support of his argument as to the justice of affording prisoners charged with capital offences counsel in all cases, and concluded by moving the second reading of the bill.

The *Solicitor General* felt great reluctance in opposing the motion; because he had no doubt that the hon. member intended to confer a benefit on those unhappy persons who were charged with capital offences. From his experience in courts of justice, he took upon himself to declare, that the proposition would operate greatly to the prejudice of those persons. As to the circumstances of Bellingham's trial, they would in no way have been altered, even had the bill proposed by the hon. member, been in existence; for when an application for delay, founded on an affidavit, was made in a capital case, counsel were always heard for the prisoner to whatever extent it might be desired. The only effect of the observation, therefore, was, to cast a slur on as humane a judge as ever sat on the bench. In nine cases out of ten, the case was made out very strongly against the party accused. In such cases, if the prisoner had a counsel, he must either be silent, which would be construed to the prisoner's disadvantage, or in his defence he must resort to sophistry and every kind of fallacy to serve his purpose. This would require remark from the judge in summing up, and might possibly have the effect of altering the situation and character of the judge, and of making him counsel against the prisoner, instead of counsel for him. The counsel for the prosecution also, who at present contented himself with a temperate and dry statement of facts, would, if counsel were assigned to the prisoner, feel himself obliged to change the character of his address to the jury, and operate in some degree upon their passions instead of their reason. He contended, that the law, even with respect to high treason, did not allow to prisoner's counsel the privilege of addressing the jury until the statute of William 3rd. But, however salutary that statute as affecting the case of high treason, he contended, that extending that privilege to all other prisoners would only be a waste of the public time, and would lead to no result favourable to the administration of public justice.

Sir *James Mackintosh* said, he was alway ready to admit that the general proceedings of courts of justice in this country were irreproachable; but he was surprised that his learned friend should have argued this question as if the proposed bill were one which had been tried, and had operated unfavourably for a prisoner. His learned friend well knew that, before the statute of William, allowing counsel in cases of treason, the law refused counsel to prisoners in all criminal cases. The statute of William was the first good fruit which grew out of the Revolution. Its benefit was universally felt as a safeguard for the subject; and he was at a loss to conceive why the same advantage which accrued to a prisoner in cases of treason, out of this privilege, would not also be felt in the same manner in other cases. It was remarkable that all the arguments used by his learned friend against the motion, had been used at the time of the passing of the statute of William. He rather thought that if this measure were tried, it would be found serviceable. There was a broad distinction between what a judge would do in behalf of a prisoner, and what his counsel might do. That which it would be the duty of a counsel to do for his client, would be criminal if done on the part of a judge. His learned friend had overlooked the invariable practice of Scotland, where any prisoner might have the advantage of counsel. He did not seek this privilege to enable criminals to have a better chance of escaping; for their escape he thought the greatest slur upon the practice of the law. His object was, not that these should escape, but that the innocent should have a better protection. The utmost that could result from agreeing to this measure would be, that a greater number of guilty persons would be convicted, which must be regarded as a good and not as an evil.

Sir *J. Yorke* said, that an objection occurred to him, upon the score of time. If two counsel were allowed on each side upon every case, it might not be unfair to suppose that counsellor Bore'em on the one and counsellor Bother'em on the other, would each speak for two hours, and this taking the number of cases at 3,000, would amount to 12,000 hours annually.

The *Attorney General* said, that if it could be shown that the innocent had suffered, or that justice had not been administered because prisoners were not allowed counsel, he would be ready to support the bill; but all persons conversant with the subject, were aware, that every assistance was afforded to prisoners upon their defence. If the bill were to be entertained upon theoretical grounds, he knew not where the principle could stop. Trial by jury might be abolished upon theory; for certainly nothing at the first view appeared so repugnant to reason as to say, that twelve men should be unanimous in every case of justice. It was found, however, that the system worked well in practice.

The motion, that the bill be read a second time, was negatived.

ARMY ESTIMATES.] On the order of the day for going into a committee of supply,

Mr. *Hume* said, that as the House was about to resolve itself into a committee of supply, in which the Army Estimates were to be considered, he felt it his duty to submit a motion respecting the staff and public departments of the army similar to that which he had formerly submitted respecting its numerical force. He was strongly impressed with the difference between the numbers of the army in 1792 and 1821; but he was still more impressed with the difference of the expense of the staff. He should therefore move, as an amendment,—"That it appears, by the returns before the House, that the total charge, under the head of staff officers of every kind, belonging to the army in Great Britain, and in all the colonies, in 1792 (Ireland excluded), was 33,794*l.*; namely—For Great Britain 16,676*l.*; for the colonies 17,118*l.* And that the charge, under the head of staff of every kind, for Great Britain and the colonies, in the year 1821 (Ireland excluded), is 117,710*l.*; namely—For Great Britain 33,855*l.*; for the old colonies 52,155*l.*; for the new colonies 31,700*l.*; being an increase in Great Britain and the old colonies, of 52,216*l.*, and in Great Britain and the new colonies of 83,916*l.* a year, for staff officers belonging to the army; also, that it appears, by the returns on the table of this House, that the charge for the public departments in Great Britain, of the paymaster-general, the secretary at war, the adjutant-general, the judge-advocate-general, the comptrollers of accounts, and the commissary-general of musters, their deputies, clerks, and contingent expenses, in 1792, amounted to 45,853, including 4,997 of fees; and that the charge for allowances to the principal officers of the public departments, of the commander-in-chief, paymaster-general, secretary at war, judge-advocate-general, comptroller of accounts, the medical department, their deputies, clerks, and contingent expenses, for Great Britain, in 1821, amount to 133,074*l.*, being an increase of 87,239*l.* more for the public departments of the army in 1821 than in 1792."

The amendment was negatived.

Mr. *Hume* said, he had now to propose a motion, on which he should take the sense of the House, and he intreated them to consider how much the salaries of offices had been increased since 1797. There was not an individual who was not aware of the causes of the increase. The motion which he should submit to the House went to pledge them to revise all salaries which had been increased since 1797. He then moved, as an amendment, "That the progressive increase of Salaries in the different public departments took place in consequence of the increase of business in time of war, and the depreciation of the currency, which began soon after the suspension of cash payments, in 1797; and that as peace has been established, and the currency brought to a metallic standard, it is expedient, that a considerable reduction of expense should be effected by a proper revision of all Salaries increased since 1797, by adjusting them to the present value of the currency."

Lord *Palmerston* said, that the amendment referred not only to the estimates which were to come before them, but to every department of the state. It would be improper, therefore, to adopt so sweeping a proposition in reference to a particular question, instead of having a regular discussion on it after proper notice. The amendment, too, affirmed one thing, of which he was utterly ignorant, namely, that a metallic currency had been established. Preparations, indeed, had been made for establishing it. As to prices, agricultural produce had for some time been low, but house-rent, wearing apparel, and manufactures in general, were still as high as they had been.

Mr. *Baring* said, that nothing could be more proper, than that, before they proceeded to vote money, they should lay down reasons for doing so. The hon. gentleman, who was never to be named without gratitude, for his efforts in throwing light on the enormous expenditure of the country, had put before them, in a distinct shape, that which was universally admitted, namely, that salaries had been increased on account of the depreciation of the currency, and that now that the currency was brought back to its old standard, the House should reconsider those salaries. Yet, when the House was called upon to recognise this principle, they were told, that going into a committee of supply was not the time. The remark of the noble lord, that we had not yet gone back to a metallic standard, was rather hypercritical. On the 1st of May, they might get gold at the Bank at the rate of 3*l.* 17*s.* 10½*d.*; they might now get it at 3*l.* 19*s.*; and by the admission of all persons, the currency was screwed up, not merely to the old standard, but beyond it. He expected that those gentlemen who, some time since, voted against those taxes by which the present expensive system was supported, would now vote for a resolution that did not pledge the House to a reduction of salaries, but merely to a revision of them.

The *Chancellor of the Exchequer* thought that the object of the hon. member might be better attained, by making specific propositions on the separate estimates, than by calling upon the House to come to a general sweeping resolution.

The House divided: For the Amendment, 29; Against it, 50.

List of the Minority.

Bury, lord
Butterworth, J.
Boughey, sir J.
Baring, A.
Bennet, R.
Creevey, F.
Crawley, S.
Crompton, S.
Davis, col.
Evans, W.
Fergusson, sir R.
Gordon, R.
Hornby, E.
Heron, sir R.
Harbord, hon. E.
Johnson, col.
Lennard, B. T.
Martin, J.
Monk, J. B.
Price, R.
Parnell, sir H.
Ridley, sir M. W.
Ricardo, D.
Smith, W.
Williams, R.
Williams, O.
Whitmore, T.
Winnington, sir T.
Western, C. C.

TELLERS.

Hume, J.
Bennet, hon. H. G.

The House having resolved itself into a committee of supply, lord Palmerston moved, "That 105,943*l.* 5*s.* 10*d.* be granted to his majesty, for defraying the charge of general and staff officers, and officers of the hospitals, serving with his majesty's forces in Great Britain and on foreign stations (excepting India), from 25th Dec. 1820 to 24th Dec. 1821."

Mr. *Hume* objected to the amount of this vote. With regard to the allowance to the commander in chief, he considered it enormous, and disproportionate to the distressed circumstances of the country. From 1794, up to 1815, the pay of the commander in chief was only 9 guineas a day. It was now increased to 16*l.* 8*s.* a day. He was aware of the important services of the illustrious individual at the head of this department; but it was the duty of parliament, now that we were arrived at the seventh year of peace, to reduce every part of our military establishment, and to begin by applying that reduction to the head of it. The next item was the charge for the secretary to the commander in chief. The salary of that officer amounted to 2,000*l.* per annum. No such office existed in 1792, and the secretary had now comparatively little to do. In 1792, the whole details of the army were conducted by the war office, at an expense of little more than 10,000*l.*, and the secretary at war had not more than 14 or 15 clerks, instead of the array of 60 or 70, clerks which the noble lord now kept. The quarter-master-general had not even an office at that time, and the whole expense of his establishment, which now amounted to 5 or 6,000*l.*, did not cost more than 500*l.* a year. He thought the salary of the secretary to the commander-in-chief might be reduced 1,000*l.* a year. The next item was the pay of the chaplain, who united three offices. The salary of this individual would certainly admit of reduction; for it was clear that he could not perform the duties of all these offices, unless he could be in three different places at one and the same time. The offices of the deputy assistant adjutant-general, and the deputy assistant quarter-master-general might be advantageously reduced. There was not a military man who did not agree that a staff of 15,000*l.* was extravagant, and might be reduced one-half, or at least one-third. Some reductions had been made in the staff in South Britain. The pay to five permanent district assistants to the quarter-master-general, admitted of considerable reduction. Indeed, those officers might be altogether dispensed with. With respect to the charge for two inspectors of army clothiers, at 693*l.* the whole of the duties might be performed by one inspector with a committee of the officers of the respective corps. The office of chaplain-general was entirely a new creation, and the gradual increase of his income showed the disposition of the government to extravagant expenditure. When this chaplain was first appointed, he had only a salary of 365*l.* a year. It was afterwards raised to 800*l.* Now, if 365*l.* a year was a sufficient salary for this individual, at a time when our military establishment was double or treble what it was now, his present allowance would surely admit of considerable reduction. The staff in North Britain was double or treble what it was in former years. There was a secretary and an aide-de-camp in that department who had precisely the same duties to perform; one of these offices might, therefore, be well dispensed with. He begged to call the attention of the committee to the amazing disproportion between the staff in England and in Ireland. The staff of Ireland, which, in 1792, cost only a few thousand pounds, was now charged at 20,500*l.* There was a charge for no less than seven adjutants-general, and eight quarter-masters-general, with their deputies. One-half of these might be safely reduced. The medical staff in Ireland was much larger than in England. The whole of this medical staff was appointed in 1796; and, as their appointment was understood to be temporary, they received their commissions from the lord lieutenant, and not from the king; nor had one of them ever been abroad on foreign service. They had, in fact, remained in Ireland for the last 15 or 16 years, and had never shared the dangers, which had fallen on the English medical staff. If this staff was to be kept up, it was but just that it should be supplied by officers of the medical staff in England, who were now on half-pay, and who had been actively engaged in their professional duties in all the late campaigns. With respect to the foreign staff, the charge for this department, which in 1792 was 17,000*l.*, now amounted to upwards of 50,000*l.* The whole charge for the Windward and Leeward Islands was 8,442*l.* in 1792, and was now 21,509*l.* He had on a former occasion stated his opinion, with regard to Malta and the Ionian Islands. The charge for these Islands amounted to 11,766*l.* and was two-thirds higher than was necessary. Under all these circumstances he thought that the vote might be reduced at least by 20,000*l.*, and would therefore move, that the resolution be amended by the insertion of 85,943*l.*, instead of 105,943*l.*

Lord *Palmerston* said, that the question upon which he was at issue with the hon. member was rather a question of principle, than a question of detail; for unless he could show that the principles upon which the military establishment of the country was conducted in 1792, were applicable to the present times, it was futile to compare the details of the present expenditure with those of 1792. Now, he contended, that the military system of 1792, instead of being a guide to direct their course, was rather a beacon to avoid. It was extremely unfit even for the period at which it existed; still less was it applicable to the present state of Europe. Our army in 1792, taking it in the aggregate, and without reference to the courage and character of the officers and men, was one of the worst appointed armies in Europe. Great improvements since that time had taken place in every part of our military system; and unless we were prepared to forego all the advantages which we derived from those improvements, he knew not upon what principle the proposition of the hon. member could be defended. The hon. gentleman had complained of the salary of the commander-in-chief, but that salary was raised to its present amount, by a regulation assigning that rate of pay to all field-marshals when employed; so that this was not a personal grant to the present commander-in-chief. The duties of the military secretary to the commander-in-chief were of the most laborious nature, and had in fact been much increased by the reduction of the army; for as it was the duty of the secretary to carry on the correspondence with the commander-in-chief, his labours were much increased in consequence of the number of applications on the part of officers reduced to half-pay. As to the inspectors of army clothing, he was not sure that he understood the hon. gentleman's proposition for substituting one inspector with a committee of officers belonging to each regiment. If the regiments were on foreign service, such a plan would be impracticable; at all events, the expense of sending a detachment of officers from each regiment, would more than counterbalance the reduction of one inspector. With regard to the salary of the chaplain-general, the clerical arrangements of the army had been much improved since the appointment of a gentleman of character and respectability to officiate in that capacity. The hon. member complained, that the staff in Ireland was much greater in proportion than the staff in England; but the army in Ireland was much more dispersed than in England, and as that circumstance involved more frequent marches of different detachments, and more frequent inspections, it was necessary to keep up a staff to a greater amount. The noble lord concluded by opposing the amendment.

Colonel *Davies* bore testimony to the obligations of the army, and of the country in general, to the services of the illustrious person at the head of the military establishment. He was, however, convinced, that a considerable saving might be made in our military establishment; if not to the extent stated by his hon. friend. The commander-in-chief and staff in Ireland, he thought, should be reduced, which would save about 4,000*l.* a year.

The staff of the Leeward Islands was excessive, amounting to 21,000*l.* annually. He did not see any necessity for a quarter-master-general in those small islands, which had fort-adjutants and brigade-majors. As to the force kept up at St. Helena, even allowing it was necessary to station two battalions there, yet he did not see why there should be both a lieutenant and brigadier-general. The amount of saving which would arise from the staff reductions which he proposed, would be about 13,000*l.* a year, exclusive of the medical staff. He would move a resolution to that effect when the amendment before the committee was disposed of; but, painful as it was to his feelings to dissent from his hon. friend, he could not go to the full extent of his amendment.

Mr. *J. Smith* said, he should have been much more satisfied with the amendment, if it had proposed a smaller reduction. He was ready to acknowledge the benefits which had accrued to the nation from the exertions of our gallant army; but in these times, when even the public creditor was alarmed, it was necessary that every practicable saving should be made, and that no person should be employed by the state whose services were not absolutely necessary.

Mr. *Hume*, in consequence of a feeling expressed by his hon. friends around him, wished to withdraw his amendment, and to substitute another in its place, proposing a reduction of 10,000*l.* instead of 20,000*l.*

The committee divided on this amendment: Ayes, 61; Noes, 116. The original resolution was then agreed to.

On the resolution, "That 25,382*l.* 13*s.* 10*d.* be granted for the General Staff of Ireland,"

Sir *H. Parnell* thought that the appointment of a separate commander of the forces for Ireland, with the staff by which that officer stood surrounded, was a measure of blameable expense. The duty might be perfectly well performed by an officer having the rank of lieutenant-general, and such an alteration would be attended with a considerable saving. The whole establishment of Ireland was formed upon an extravagant scale, for there were more general officers employed to command 20,000 men in that country, than sufficed for 27,000 in England. He concluded by proposing to reduce the grant to 20,479*l.*

Lord *Palmerston* said, that a commander of the forces in Ireland was indispensable. When they considered the distance between Dublin and this metropolis, it would be seen that the delay and inconvenience of correspondence would be subversive of order and discipline. It then became a question, how the office of commander of the forces was to be remunerated. The committee would see, that the individual who held it was subjected to heavy expenses, in consequence of being obliged to receive the very best company at his table, and that the various other duties of his office led him into large expenditures.

Mr. *Hume* maintained, that the establishments of Ireland might be reduced without inconvenience to the service. They exceeded, past all reason, the corresponding establishments of this country.

Mr. *O'Grady* said, it was not against the effective force of the army, but against the superfluous offices attached to it that he directed his opposition. The commander of the forces in Ireland and the adjutant-generals and their assistants appeared to him to be kept up at an unnecessary expense, and he should, therefore, vote for their abolition.

Mr. *Grant* observed, that if they were to have a court in Ireland they must countenance the appointment of high offices in order to support its dignity. The hon. baronet had suggested last year that the office of lord lieutenant might be abolished—a suggestion that had excited considerable alarm in Ireland.

The committee divided: For the amendment, 53; Against it, 140.

On the resolution, "That 28,883*l.* be granted for the Allowance to the Paymaster General,"

Mr. *Hume* objected to the expense of maintaining this establishment. The amount which annually passed through the pay-master's hands was from six to ten millions, and it cost the country 28,000*l.* to maintain this office; that was, to pay the military checks, which might be done at the Bank for nothing. One individual, with the assistance of four or five clerks, could do all the business of the office. In 1792, the amount of this department was 18,344*l.* A reduction was even then thought of; but, instead of that, its amount had been raised to 28,000*l.* No harm would be done to the individuals of that department, if the expense was brought back, in the first instance, to the amount of 1792; and hereafter he hoped means would be found to do away with the office altogether. The whole amount of the expense of the department at present was 28,883*l.*, which included 5,000*l.* payable in pensions. He would move, that the sum of 23,728*l.* be substituted.

Sir *C. Long* entered into a description of the duties attached to the office in peace and war, and contended that, from the nature of those duties, it was impossible they could be performed by the Bank. He stated the expense of the establishment, from 1792 to the present time, for the purpose of showing that, since he was connected with the office, much had been done in the way of retrenchment. He had made many reductions, and he doubted not but that he should be able to effect still more. Several accounts which were connected with the late war were in the office. This rendered it necessary to retain clerks, who would not otherwise be employed. When those accounts were audited and passed, the hon. gentleman would see a very considerable reduction; but it would be the worst possible policy to dismiss those clerks before the accounts were settled.

After some further conversation the committee divided; the original resolution was agreed, to without a division.

The House resumed, and on the motion, that the report be received on Monday, the House divided: Ayes, 25; Noes, 20.

HOUSE OF COMMONS.

Monday, April 2.

Roman Catholic Disability Removal Bill.] On the motion, "That the Bill be now read the third time,"

Sir *William Scott* rose. He confessed that, as far as he was able to form a judgment of the bill, the expectations of any improvement of it, so as to obviate the objections to which it had been open, had not been realized. After commitments and re-commitments, and all the elaborate attention which had been bestowed upon it, the bill came before them worse, than it was before. In the instances of former bills, for the same purpose, they had dissatisfied one party only; but by this bill all sides were dissatisfied; the party who objected to it, and those whom it was intended to conciliate. The other party, the House, had an equal reason to be dissatisfied. They had had no success in the manufactory of conciliation which they had set up. Their machinery had totally failed; and it had turned out a bankrupt adventure. The measure including the intercourse bill, appeared to him to be very much misunderstood. It seemed to be an experiment, as to what portion of religious faith might be given up for the purpose of procuring political privileges. No person more highly respected than he did those illustrious persons connected with the most ancient families in the kingdom, whose sentiments had been laid before parliament. He admitted their claims to the greatest consideration; but he could not admit that their opinion on matters connected with the Catholic faith should guide the decision of the House. He maintained, that their faith was open to the examination of the legislature, who had a right to judge for themselves. They had an opportunity of forming an opinion of the effects of the Catholic faith as well from a perusal of the histories composed by clergymen of that church, as by an examination of the works of Protestant writers. He could not look on an assembly of Roman Catholic noblemen and gentlemen who were devising the means of finding their way back to those privileges and immunities which they had lost, as the fair expositors of the Catholic faith. No: for that exposition he would rather look to an assembly of persons regularly convoked by the acknowledged Catholic authorities. What had passed in some of those assemblies showed pretty clearly that the bill was not viewed by the Catholic clergy with approbation. With respect to Ireland, he was much deceived if the clergy had not, almost unanimously agreed to resolutions condemnatory of the measure. Amongst those who petitioned against it, was a Catholic clergyman of rank and influence, whose name had been treated with a considerable degree of asperity by the supporters of the bill. He did not mean to undertake the defence of that individual; he knew him not: but he would say, that he respected him for his learning, for his ingenuity, and for the integrity he had shown in avowing the sentiments of the religion he professed.

Upon looking over this bill, he found that clause which had given rise to all the argument about the celebrated explanation or exposition of which so much had been said. Upon this subject we had fortunately a document coeval with the

Reformation, to show what was then the legislative understanding of that interference, whether spiritual or temporal, against which the oath of supremacy attempted to guard. But, after every device which had been contrived, to explain away the mischievous tendency of the proposed measure, with all the screwing and wrenching which had been put in practice, unfortunately the experiment had totally failed. This was the first experiment which had yet been made to attempt, by legislative means, to alter that inviolable oath, and to remove that important protection which had been set up by the wisdom of our ancestors; and he hoped and trusted that, for the honour of parliament, it would be the last. He could not help saying that he was not more surprised at the attempts which had been made to introduce the declaration contained in the present bill, than he was at the arguments which had been offered in support of it. The very authority to which the right hon. framer of the bill had appealed was against him. Bishop Burnet described the measures of queen Elizabeth's court as being intended to separate the church from the Papists altogether, and as having, with that view, laid the whole weight of the question of difference on the obedience exacted from Catholics to the authority of the pope. Another argument had been used, to show how much Catholics, as well as Protestants, were delighted with the measures of queen Elizabeth, namely, that both parties resorted to the same places of worship. On this point he would refer to two very eminent Roman Catholic authorities—the one, Mr. Dodd, the celebrated author of a History of the Reformation; the other, Mr. Butler, a gentleman of great learning and ability. Mr. Dodd's account was that, "during the first year of queen Elizabeth's reign, a great division arose among the Catholics; the cause being, that many of them appeared, for some time, in Protestant churches; but this they did merely to screen themselves from the rigour of the laws then in force against the Papists." Now, here was not one word about the satisfaction which this exposition had given to all parties; but the cause assigned was, that they were solicitous to screen themselves from the operation of certain penal laws. The historian went on to say, that several tracts were published on the subject, and that it was argued in different councils, until it was proposed as a question of propriety to the council of Trent, who declared the practice to be unlawful. Next there was the book of Mr. Butler. After mentioning the severe fines which were imposed on persons for not attending divine worship in the Protestant churches, he observed—"These amounted to a very large sum; and out of them the queen got 20,000*l.* During the first year of her reign a great number of Roman Catholics in order to avoid the extreme rigour of these laws, frequently went to Protestant churches." This, then, was the whole effect of the argument, the whole amount of the historical facts, upon which the House was told that the exposition of that day, similar to that which was now proposed, was an arrangement by which the lacerated consciences of the Catholics were entirely healed. Was it upon principles like these, or arguments thus founded, that they were to undermine the venerable basis upon which the Protestant constitution of this country had so long reposed in strength and security?

He begged to intrude upon the serious attention of the House for a short time, while he gave an outline of the opinions which had been entertained on this subject by men of far greater eminence and distinction than himself. The learned Mr. Selden, who possessed an intimate acquaintance with these matters, had said—"The papists must acknowledge the pope; they must have some supreme prince, and some homage to do to him, even in this world; and for this reason it is that they cannot enjoy the same privileges which are vested in the other subjects of this realm." Mr. Locke carried this principle still farther. He said, that the Catholic had a right to participate in all the privileges of a free citizen of the state, if his faith did not justify his exclusion: "they have, however, thought fit to deliver themselves up to the jurisdiction and dominion of a foreign prince, who not only has the power to require the members of his church to do what he may think fit for the welfare of his ecclesiastical state or temporal benefit, but to enjoin them to do it under pain of eternal fire." Lord Clarendon, a man who to extensive information and great judgment united an intimate knowledge of the human heart, observed, that it was just, seeing that the Catholics had renounced the Protestants, that the Protestants should renounce them. If they would give up their doctrine of supremacy, all their other errors might be looked upon as not dangerous to the state. The last authority was Blackstone, who observed, that "as to papists, what has been said of the Protestant Dissenters, would hold equally strong for a general toleration of them; provided their separation was founded only upon difference of opinion in religion, and their principles did not also extend to a subversion of the civil government. If once they could be brought to renounce the supremacy of the pope, they might quietly enjoy their seven sacraments, their purgatory and auricular confessions, their worship of relics and images, nay even their transubstantiation. But while they acknowledge a foreign power superior to the sovereignty of the kingdom, they cannot complain if the laws of that kingdom will not treat them upon the footing of good subjects."

The right hon. and learned gentleman then commented on the momentous nature of the step which the House was called upon to take—which was no less than a removal of the constitution from that basis on which it had stood from the Reformation to the present day. He entirely agreed with Dr. Milner and the other Catholic clergy of Ireland who found themselves unable to take the oath prescribed in the second bill. That oath recognised, on their part, the free and undivided allegiance which was due to the king. Now, what in law was that allegiance but an allegiance *in spiritualibus*, as well as *in temporalibus*? Could, then, any Catholic consistently take such an oath? This bill, moreover, acknowledged the pope in terms; whereas it had been the universal policy of all our statutes to call and consider him only as the bishop of Rome. As to the oath of supremacy, if it had been the intention of the legislature to recognise any spiritual power whatever, there would have been an expressed exception to that effect. Another inconsistency was, that this bill recognised the Romish church in Ireland; so that we were to have two establishments, the Protestant church and the Romish church in Ireland—a double-headed monster, hitherto unknown to the constitution, the legislature, or the country. He should like to know what was the provision which it was intended to make against the monastic orders. He called upon the House to remember, that they were now conceding that 'vantage ground which they had preserved through two centuries; but which they had acquired not without years of slavery and bloodshed. Determined as he was never to deviate, in the course of his public duty, from those ancient landmarks which the wisdom of the legislature had erected, and the safe experience of time had consecrated, he must persevere in his decided opposition to the bill.

Sir *George Hill* considered this bill to be most revolutionary in its character, as it went to put down the ancient landmarks of the constitution, and to recognise, for the first time, a right of interference with the subjects of this country on the part of the see of Rome. He had heard it argued on this occasion, that the constitution of this country was not essentially Protestant. Taking the constitution as it was established at the Revolution, he showed that the Bill of Rights had been particularly directed against popery. In that bill the oaths of allegiance and supremacy were enacted which were now to be altered. It was provided by that bill, that this country must be governed by a Protestant prince, and also, that that Protestant prince must have Protestant counsellors. But the bill before the House went to do away with Protestant counsellors by opening the door to Catholics. It put both the property and the religion of the country in peril: it admitted Catholics to be members of the privy council, to be governors of colonies, and what was still more tremendous, it allowed them to act as sheriffs, and gave them seats in parliament. He felt alarm for the use that might be made of the power given to the Catholics acting as sheriffs in Ireland: they would have the right of selecting juries, and, above all, they would be authorized to return members who were elected to sit in that House. He thought the danger of admitting Catholics to parliament had been undervalued, and considered the measure to be revolutionary, because, while it relieved the Catholic from the old oath of supremacy, it required the Protestant to take it. No Catholic was to take the old oath; and after this bill had passed, he did not see how any Protestant could conscientiously swear, "that the pope neither had nor ought to have any power in this realm." His conviction was, thas this bill would not prove a measure of conciliation. The Roman Catholic clergy and laity were united against it. They called it "the slavery bill,"—"the bill of insults;" and there was no epithet too insulting to be applied to those whom they sneeringly called "their advocates."—In Dublin, last week, the titular archbishop, Dr. Troy, had assembled the clergy; and they had come to certain resolutions, declaring that they could not assent to the provisions of the bill for regulating the intercourse of the see of Rome, or to that which sanctioned the intermeddling of the government with the appointment of their bishops. In Limerick, the Roman Catholic bishop had called the clergy together, and they had come to certain resolutions, disapproving of the bill, which were stronger than those come to at Dublin. Similar meetings were announced to be held at Cork, Galway, Tuam, and Kerry. The sentiments of Dr. Coppinger, the titular bishop of Cloyne, were also strongly opposed to the bill. He had distinctly declared, that the oath amounted to an abjuration of the Catholic faith, and ought to be indignantly rejected by every Catholic. The right hon. baronet insisted that there was an identity of interest between the Catholic clergy and laity; that their faith was held by them to be immutable, infallible, and the only road to salvation, and that the fixed purpose of both classes was the aggrandisement of their church. This was the leading object of all the Catholics of Ireland, and it had been so for the last fifteen years. Another purpose, with a large body of them, was to procure a dissolution of the Union. He called the attention of the House to the sentiments of another eminent Catholic, who considered such a restriction as that proposed inadmissible, inasmuch as its obvious tendency was to prevent proselytism. The distinguished individual to whom he alluded was Dr. Dromgoole. He must object to the measure both in its principle and detail, as one which, by sanctioning the interference of the see of Rome, went directly to subvert the essential Protestantism of the British constitution.

Mr. *O'Grady* supported the bill. Alluding to the aggregate meeting which had been held on the subject of the bills in Limerick, he observed, that the resolutions there carried in opposition to them were not of native growth; they had been introduced by individuals who were not residents of the county, and originated in factious opposition. He could not consider the resolutions to which they had come as the sentiments of the county. He held in his hand a protest against the proceedings of that meeting, signed by 39 most respectable Roman Catholics, who declared, that they approved of the bill, and were satisfied with such restrictions as would conciliate their Protestant fellow-subjects, without doing violence to their own consciences. This protest was signed by the only four Catholic magistrates in the county.

Mr. *Fitzgibbon* supported the opinions and the statements of his hon. colleague. He considered the resolutions read by the right hon. baronet to have been partially selected, and did not regard them as giving a correct idea of the sentiments of the Catholics of Ireland.

Mr. *Spring Rice* said, that however unpalatable it might be to the House to hear the merits of one class of gentlemen or another canvassed in that place, yet he was driven into the present discussion by the want of candour which had been evinced by the right hon. baronet. Why did he not, when he produced the resolutions to the House, go also into the protest which accompanied them. He had merely adverted to the number of signatures, without acknowledging one fact as to the respectability and character of those who affixed them. The meeting at Limerick was not a meeting of the clergy of the diocese, but of those Roman Catholic clergymen who happened to be assembled in that town. With the permission of the House he would read a letter which he had received from one of the very persons who signed the violent resolutions, to show that the sentiments spoken by them were not generally entertained. The writer of the letter owned that many of his Catholic brethren were willing to receive emancipation upon the terms provided by Mr. Plunkett's bill. This was not the opinion of one who supported that measure, but who had signed those violent resolutions which had been quoted to the House. In another letter which he had received from Ireland, it was stated, that if the measure were passed into a law, those troublesome spirits and tools of faction who now agitated the country, would be at once put down. He begged to remind the House, that the dissatisfaction of the Roman Catholic clergy of Ireland had arisen, in a great measure, from a clause in the original bill, by which they were subjected, in certain cases, to the penalty of transportation. That clause was, in fact, a blunder in the bill as it originally stood, and it was now removed. He did not mean to say that the present bill would satisfy all the Roman Catholics. To expect it, would be to expect the occurrence of a moral and political miracle. If the Roman Catholics of Limerick had shown any irritation on this subject, it was very natural. They recollected the treaty of Limerick, which guarantied the free exercise of their religion. If that treaty had been strictly observed, there would be no occasion for the House being now occupied with the present measure. He considered it his duty to vote for going on with the measure. The House should legislate for, and not treat with, the Roman Catholics. His own opinion was, that no security was necessary; but he looked upon the present measure as a compromise between the demands of the Catholic and the extravagant fears of the Protestant. Between both he would do his duty; and he had no doubt that in the result they would be all satisfied.

Mr. *Hutchinson* said, that standing there as the unworthy representative of a family who had always stood up in support of the Catholic claims—advocating that great and righteous cause upon the principles of entire and unqualified emancipation—he wished to offer a few observations to the House, in explanation of the line of conduct which he meant to pursue. It was impossible but that a measure carrying with it heavy penal enactments, should meet with some who objected to it; and he could not, while he had a seat in that House, submit that such persons should be charged, as tools of faction, as riotous spirits, and public agitators. Because, if they were to be so denominated, he also must be a tool of faction and an agitator; for he had joined in the objections which had called down upon them those reproachful epithets. Could it be said, that Mr. Roche, the gentleman who presided at the Limerick meeting, was one of this description of persons? The hon. member here eulogised the character of that gentleman. He thought it very likely that all the Irish clergy might eventually object to take the required oaths; therefore, he could not suffer that those gentlemen should by anticipation be aspersed, because they opposed what he apprehended was a highly penal enactment. He believed that it was quite in the power of the noble lord and the right hon. member for Liverpool, still to modify the aggrieving clauses, so as to make the measure in every way unexceptionable. It was not his intention to submit any motion, or any regular proposition to the House, but he did hope that the bill would yet be re-committed, so as to go through the modifications which he had pointed out. He should not vote for the amendment, because that would go, if carried, to throw out the whole measure; and there was no man who would be less willing to do that than himself. But he did wish that the bill could be re-committed. If it was not, though he should not vote against the measure, yet he would not vote for it. He was ready to acknowledge, that the Protestants had given up a great deal; and he thanked them for it. They had given up what was most difficult for man to resign,—they had given up their prejudices. But all was rendered almost valueless by oaths required of the clergy. Supposing, as he had a right to suppose, the Catholic clergy should refuse to take the oaths—such refusal was declared to be a misdemeanor. To those who should hereafter receive orders, this penalty would not be so great; because they would have the choice of taking them upon such terms, or of choosing some other profession. But then there were many who had been in possession of their livings and cures for years, who had not the choice, and must either take the oaths, or if they had conscientious scruples, be dragged to a gaol. Supposing all the Catholic clergy throughout Ireland should refuse to take the oath,—was the noble lord and his colleagues, and even his friends around him, prepared to say that if they did so refuse, the whole body of the clergy were to be sent to gaol? What would be the consequence of such a proceeding? If, besides the 20,000 soldiers now in Ireland, they should send all the troops in England and Scotland thither, they would not be able to quell the indignant spirit of the people, if such an enactment were carried into effect.—The hon. member then argued, that if the oath should be generally taken, there was no need of a Protestant board for deciding upon clerical appointments. It was first making them take the oath, and then saying, we did not believe them and would not trust them. He held in his hand an extract of a letter from a Catholic, who was favourable to the general measure. Although he was excessively anxious that it should pass, yet he could not withhold his feelings against the clauses objected to. He stated, that he admitted the unjust severity with which they would press upon the clergy, but must rely upon the generosity of the executive, and the mild exercise of the power vested in them. Now he (Mr. H.) would not so trust, in a case of such momentous importance, to the humanity of an indefinite government. Supposing the clergy to subject themselves to the penalty provided by the enactment, would the magistrates act against them? If they did, they would have the whole country up in rebellion; and if rebellion could be justified, it would be under such circumstances.

Mr. *Ellis*, of Dublin, expressed his anxiety to deliver his sentiments on a bill, the latter part of which, by a curious infelicity in legislation, went to deprive the measure of all the advantages promised in the first part. He apologised to the House for going over again a track which had already been so beaten: to him it was an unpleasant task, and nothing but his veneration for the Protestant establishment, and his anxiety for the connexion of Ireland with this country, could force him to trespass on the attention of the House. He professed that in ardent wishes for the welfare of every class of his fellow-countrymen, he was not inferior to the right hon. gentleman who brought the measure before them; and he would further say, that he brought with him a degree of experience of the wishes and feelings of the Protestants of Ireland, which the retired habits, or the fastidious taste of that right hon. gentleman prevented his acquiring. In the name of that profession to which they both belonged, and whose sentiments the right hon. gentleman had misrepresented, he disclaimed his unauthorized advocacy. That this was not mere assertion would be seen by a reference to the petitions on their table—and particularly by the Protestant petition from the second city of the empire, which he had the honour to represent. If those petitions were looked into, the House would see not only noblemen and gentlemen of the highest respectability, but several members of the profession of the law, equal in talents and reputation to the right hon. gentleman himself; and in their names he protested against declarations contrary to their sentiments.—The hon. and learned member then proceeded to argue against the bill on the grounds of expediency, as the abstract right had been already abandoned by its proposer, and contended that none of the dangers apprehended were averted by a bill which had already been rejected by the Catholics themselves—a bill which, at the same time that it gave power, withheld confidence, and placed a sword in the hands of those whom it irritated to use it. That the Catholics were really hostile to the bill, was, he conceived, clear, from the opposition which it had met with from an eminent barrister, who was always considered as speaking their sentiments. He would not mention his name, although it had been mentioned in the course of the present discussion. Why was that gentleman the acknowledged organ of the Catholic body? It could not be on account of his family, which, though respectable, was of yesterday, compared with some of the aristocracy of Ireland. Neither was it for his talents—for his eloquence was but of mushroom celebrity, and was far outshone by the talents opposed to him. What, then, was it that gave him the confidence of the Catholic body? It was that he really and truly expressed their feelings and sentiments. The House, however, had been told that they were to legislate; and not to consider what would be acceptable to the Catholics. But this was an argument not very consistently urged by those who advocated measures of prudence and conciliation. Neither the Catholic nor the Protestant was satisfied—yet was it proposed to enforce content upon the one, and inflict liberty upon the other. He objected to the bill upon its principle. But, supposing that objection to be removed, he did not think the security offered was sufficient. The loyalty of the Catholics depended upon the loyalty of their priest, and yet the bill proposed in effect to increase his power. If, however, it was denied that the priest had such extensive power, then the proposed security was a delusion, so that the fact might be taken either way by the supporters of the bill. He was compelled to refer to a period of history which he would willingly have blotted from his recollection. It was to the insurrection of 1798. It had been contended, that that was not a Catholic insurrection, because one of its leaders was a Protestant dissenter; but, when it was recollected how many hundred thousand persons were concerned in it, it was impossible to believe that it was any thing but a popish insurrection; and he put it to the House, whether they would place still more dependence on those who had betrayed former confidence? Looking at the provisions of the bill, the powers which it proposed to give, and the powers which, under its operation, would be still withheld, he could view it only as a solemn humbug. What could be said of a measure which gave to the Catholic the right of voting in the election of members of parliament, and denied him that franchise in the choice of a churchwarden—which refused him a hand in the repairs of the parish church, and yet committed to his care the whole fabric of the constitution? He might preside in a court of common law, but not in an ecclesiastical court, where the same questions were tried. He was not to be allowed to be lord lieutenant of Ireland, but he might be the premier of the cabinet by which the lord lieutenant was appointed. The whole was one great mockery. He expected to be accused of prejudice. If he was prejudiced, however, his prejudice was one of somewhat extraordinary growth. He had himself been nursed in all the bosom of popery; he had at one time cherished the warmest desire to give liberty and equality to creeds of every class; and nothing less than a firm conviction of the dangers to be apprehended from the unrestrained freedom of the Catholic faith, had compelled him at length to adopt a different opinion.

Mr. *Robinson* said, he had no intention of vindicating the right hon. gentleman who introduced this measure, from what he conceived a most unreasonable attack which the hon. and learned gentleman had made upon him in his absence. He declared himself to be no more disposed to take the feelings of the Protestants of Ireland from the hon. and learned gentleman, than he was to take the feelings of the Catholics from that nameless barrister, that mushroom orator, as the hon. and learned gentleman had called him—who, eloquent as he might be—active as they all knew he was—he was persuaded did not, in the ravings of his eloquence, speak the true and honest feelings of the Irish Catholics. It was on that account that, although he knew Mr. O'Connell was dissatisfied—although he knew that Mr. O'Connell had always been dissatisfied—although he believed that Mr. O'Connell would always be dissatisfied—he had no doubt that, if the present measure were passed, it would be highly satisfactory to the great body of the Catholics of Ireland. He confessed that he had heard the hon. and learned gentleman with much regret, departing, as he had done, from the wise and dignified course of his right hon. friend, the member for the University of Oxford—a course which, if any thing could add to the respect which he felt for his right hon. friend, would certainly have had that effect. Indeed, the only misfortune which had attended these discussions was, that the hon. and learned gentleman who had last spoken, had endeavoured to rake up the ashes of what he had hoped was a for-ever-extinguished fire. It was with deep regret that he had heard from the hon. and learned gentleman a speech which was in direct opposition to the feeling which had prevailed on every side of the House, and which, if pronounced in an earlier stage, might have done infinite mischief to the discussion of the measure; and although he might not express himself with quite so much zeal as that hon. and learned gentleman, yet he might also claim attention as a convert; for he, too, had formerly held opinions hostile to those which he was at present supporting. The House had been referred to the history of the country, for internal quarrels and for foreign wars arising out of the dissention between Catholic and Protestant. True, this might have been the case at a remote period of our history; but let members look at our domestic disturbances and our foreign contests for the last hundred and thirty years, and they would find their character entirely changed. Under William the 3rd, and Anne, England was leagued with the Catholic house of Austria, and fought to establish upon the throne of Spain a descendant of that very Phillip the 2nd, who was so implacable a foe to the Protestant faith. Let the House look at the continental wars in which England had been engaged during the last fifty years; at the war which arose out of the French revolution. Which of these contests had been produced as effected by the influence of the pope? In which of them had the thunders of the Vatican animated or disheartened the contending parties? Had those thunders been heard at all? They might perhaps have been heard, like the rattling of the chariot of Salmoneus; but not like the true thunder of Heaven. Those restrictions which it might have been most prudent and politic to impose 140 years ago, it would be most impolitic and unjust to continue at the present day. Could any man at this time even pretend a fear of the influence of the pope? And yet it was only upon the apprehension of such influence, that the continuance of the existing restrictions could for a moment be sustained. He trusted that he was a good Protestant; but he saw nothing in the oath of supremacy to be taken by the Catholics, which might not conscientiously be taken by the members of his own creed. To say that the pope had no jurisdiction or superiority in England, was, as it appeared to him, merely to say, no jurisdiction or superiority over, and surpassing that, of the Crown. It could not possibly mean that the pope should have no jurisdiction whatever; because the very toleration of the Catholics at all was a recognition of the existence of his power. The dreams of Dr. Dromgoole had been referred to—a gentleman of whom he had heard it said that he was a doctor without a degree, and with no patient but his country. But, to take the ravings of Dr. Dromgoole for the feelings of the Catholics of Ireland, would be like taking the nonsense of Mr. Hunt for the sense of the people of England. The right hon. baronet, however, had used one argument which ought to be conclusive with the House as to the fate of the present measure: he had said, that even if the bill, against his opinion, was passed, he would endeavour to soften down the asperities which he anticipated. He (Mr. R.) firmly believed, that the same course would be generally adopted; he believed that the nobility and gentry of Ireland were too manly, too candid, too generous, to be piqued at the success of the bill, even though in opposition to their own efforts; that they would exert themselves for the maintenance at home, of amity and good feeling, and that they would meet in parliament as hearty co-operators in the object important alike to all—the happiness and prosperity of their country.

Mr. *Goulburn* said, he opposed the admission of the Catholics to political power, on the same principles which had led him for the first fourteen years to resist their claims to the utmost of his power. To show the danger which might arise to the Protestant establishment from the concession of these claims, he referred to the mode in which they had been pursued. Trusting to the march of time for producing occasions favourable to their views, and availing themselves of the opportunities which arose in the course of the discussion of the subject from time to time in parliament, the Catholics had advanced step by step, towards the attainments of a full share in the rights and privileges of the constitution. By pursuing a similar course of conduct, a time might hereafter arrive, when they would be enabled to effect any object which they might entertain hostile to the Protestant establishment. Suppose it should again occur, that we should have a king, who, though professedly a Protestant, secretly favoured the views of the Catholics—he might select a Catholic ministry, who would naturally seek to strengthen the party on which they could most rely; and contemplating their wealth, their rank, their illustrious descent, and the length of time during which they had remained excluded from all share in the honours and privileges of the state, it could be considered but fair, that some of the Catholic gentry should be raised to the peerage. By these and other corresponding measures, he argued, that in course of time it would be perfectly feasible for them to effect the overthrow of the Protestant establishment. They had been told, that this measure was to be one of conciliation—that it was to knit together in a bond of union, the hearts of both Protestants and Catholics; but he should like to know whether the consequences which had been pointed out by the hon. member for Cork, as likely to result from this measure, were calculated to effect conciliation. He appealed to all who had heard that hon. member, and who knew his intimate acquaintance with the sentiments of the Catholics, whether, as a measure of conciliation, the bill before the House was not altogether nugatory? He called upon the House to bestow the most serious reflection upon the importance of this measure, and to consider that in passing it, they were about to take a step which could not be recalled.

Lord *Binning* said, that his hon. friend had alluded to the danger that might result from this bill, if at any future period there should be a monarch on the throne who, though professing the Protestant religion, had no feeling of regard for it; but he had yet to learn that the personal character of a king of England, though by no means a consideration of trifling moment, was so important to the nation as to involve the safety of the constitution. While the parliament of the country remained attached to the Protestant religion, and the people continued to be jealous of every circumstance that threatened it with danger, it would not be in the power of any monarch to subvert it. He defended the restrictions contained in the bill, and the form of the oaths to which so many captious objections had been made.

Mr. *Peel* commenced by alluding to an argument advanced by the hon. member for Limerick, who had called upon them, as they valued their good faith, to observe the articles of the capitulation of Limerick. That was the first time he had ever heard such an argument brought forward. If that were made the ground of the question, the House had no discretion to exercise; but he would maintain, that, up to the present moment, they were unfettered by the question of good faith. There was but one article in the treaty of Limerick which referred to the state of the Roman Catholics generally, and that was the first. But what did it amount to? Their majesties undertook to engage that the Roman Catholics should enjoy every privilege with respect to the exercise of their religion which they possessed in the reign of Charles 2nd, and to exert themselves to obtain for them from parliament such further indulgence as they might be willing to concede. There was not a word in this of political privilege; the privilege alluded to, referred, according to the terms of the article itself, to the exercise of their religion. There were two considerations upon which he chiefly rested his objections to the bill. In the first place, he objected to it, because it was a material change in the constitution of the country. He did not consider that objection as fatal in itself; but he felt that every change of so extensive a nature was to be regarded with alarm and anxiety. They could not name a succession of kings, or an important event since the Reformation, which did not bring the Roman Catholic religion before their minds; therefore, it was not unimportant to consider what relation that religion should bear to the state in future. There were three great periods to which he would call upon the House to direct their attention—that before the Reformation, that since the Reformation, and that which it was now proposed to commence. The relation which the Roman Catholic religion bore to the state previous to the Reformation, was similar to that which the Protestant religion bore to it now; but even then the strictest exclusion of foreign authority was insisted on. After the Reformation, an attempt was vainly made to extirpate the Catholic Church; but that being abandoned, the state took a security for their exclusion from political power, which existed up to the present period. Now that they were about to adopt a new system, and to grant political power, he was forced to consider what relation the Catholics ought to bear to the state. It was a mistake to imagine that the present bill would be a final compact between Protestant and Catholic: it was more likely to become a permanent source of legislation. The first question arising out of the Bill would be, what establishment, or whether any establishment, should be provided for the Catholic clergy? They were not now about to legislate for an obscure sect—the greater part of Europe professed that religion. Besides, in Ireland there was an archbishop to every province, and he believed a consistorial court to every diocese. It was a religion supported by voluntary contributions; and was in every respect calculated to give the priesthood a powerful influence over the minds of the people. The question, therefore, was one of the utmost importance, and he thought they would be legislating in the dark, if they agreed to recognise episcopal functions, without knowing what the oath was which the episcopacy made to the pope. If the principle of the bill was to be recognised, the best course for parliament to pursue, would be to inquire into the manner in which the Catholic church was established in other countries; for it was in vain to conceal the fact, that they would soon have to meet claims for the open exercise of the rites, and the partial establishment of that religion. The manner in which its connexion with the state should be settled, should have been fixed at the moment of opening the door of power to its members. The indefinite nature of the provisions of the bill in this respect, was one principal ground of his objection to it. Another was, the relation of this country to Ireland. He had been asked, whether he apprehended danger from the power of the pope; and splendid declamation, and polished ridicule had been employed against this supposed apprehension? He apprehended no such thing. It was asked, where was the power of the pope now? He would ask, where was it in 1688? In that very year, the French ambassador had threatened to march against the pope with 500 men, and his holiness declared that he should have no defence but in the very unsatisfactory expedient of martyrdom. It was against domestic danger that king William and lord Somers undertook to guard. If we had one kingdom with an immense majority of Protestants, it might be a question, whether the Catholic minority might not be safely admitted into office. But we had two countries—two kingdoms, one of which had been politically united to the other only for twenty years;—two islands, one divided from the other by a greater span than that which had for ages divided us from what had been called our hereditary enemy. In the Catholic island we had to maintain a Protestant establishment. Could that be done, if we admitted the Catholics to a complete participation in the administrative and legislative power? He assumed, that the representation of Ireland would be, if the bill passed, ultimately Catholic. He apprehended nothing from that circumstance, for the Protestant establishment of England. But as to Ireland, it was known that all measures affecting that country were proposed, influenced, and in fact, decided by the Irish part of the representatives. Questions respecting the tithes in Ireland and other subjects of that kind, would come before the House; and they would be decided by the Catholic representatives of Ireland. If it was said, that to the Catholic representatives of Ireland, they might oppose the overwhelming power of Protestant members, he could only foresee inconvenient and dangerous conflicts, very different from that tranquil settlement which the friends of the bill anticipated. But these concessions were accompanied by securities. The securities he thought reasonable enough; he thought also that they might be conscientiously submitted to by the Catholic clergy; but the Catholic clergy had shown that they disapproved of them, and he ventured to prophecy that the bill could not be executed. If they attempted to put it in force, they must be prepared to meet with willing victims. As a matter of prudence—as a mere question how to secure the tranquillity of Ireland—he thought the non-enactment of the bill much better than the enactment of it. After remarking, that in this bill, which, after the number of skilful artists to whom it had been submitted, might be considered a masterpiece, in the manner as well as matter, there was an error in the four first lines. The act of William and Mary was cited as the act for the further settlement of the throne, and the better securing the rights and liberties of the people, instead of the subject; and, drawing a comparison between the inconsistency of the perambulatory and enacting parts of the bill, he concluded by stating, that as he believed that the bill would not have the effect of consolidating England and Ireland, or of uniting and knitting together his majesty's subjects, he could not consent to the third reading.

Mr. *Canning* observed, that his right hon. friend (Mr. Peel) who had taken so active a part against the bill, complained, that those who took the same side as himself laboured under great disadvantages; seeing that they were unfairly called upon to become the champions of those laws which had existed against the Catholics from the Reformation to the present time. But he (Mr. C.) felt, on the other hand, that those who took that part in favour of the bill, which, from conviction, he had found himself compelled to take, were placed in a situation equally difficult; for it was assumed, that every argument which they brought forward was an attempt to disturb the peace which had hitherto prevailed, and to launch out into an untried sea of speculation. He claimed then for the advocates of the bill, that the system which they wished to introduce should be compared, not with an uniform and recognised system, but with admitted anomalies, with the state of things which had produced the recent innovations. His right hon. friend deprecated a recurrence to that period when the laws against the Catholics had been in their full force. He would not resist the appeal, because he felt unwilling at the close of a debate which had been marked by such unexampled moderation, to create any new source of contention, or to send forth the bill to the country as a firebrand instead of an extinguisher of discord. If, like his right hon. friend, he could believe that religious animosities would be more likely to be healed, and the excluded Catholic more likely to be contented, if this bill should not pass, he should be satisfied not to press the House to a completion of the present measure; forasmuch as the great object which he had at heart in the support which it was in his limited power to give to it would then be accomplished. Nay, if the question were as to a system of which the reason was well matured, or the antiquity long established, as to laws which had not been continually changed, and as to circumstances which had not gradually varied—if it had been proposed to destroy that which was tolerable in favour of a fancied amelioration, he admitted that in such case, a heavy burthen of proof would indeed be thrown upon the supporters of the bill. But the measure proposed was to be compared only with imaginary content and fictitious tranquillity; it was another change in laws which had been continually changing; it was not the first of a series, but a crowning act of mercy to complete the improvements of half a century.

The right hon. gentleman then examined the view which Mr. Peel had taken of the different eras of legislation, respecting the Catholics; he denied that even at the time of the Revolution the dangers were such as warranted the system pursued towards the Catholics, but surely, the dangers which then did exist, now existed no longer. Religion had then mingled in the political concerns of Europe, and directed the course of wars, and changed the dynasties of kingdoms. Now struggles of a quite different nature had begun, which were destined, perhaps, to produce effects as stupendous as the wars which followed the Reformation.

The right hon. gentleman then went on to argue, that it was to be gathered from the murmurs of the Roman Catholic clergy, that at least this bill might be considered a boon to the laity; that its provisions were not of that character which some of its enemies represented; and that the Catholic clergy did not look upon the bill as causing so much evil to the established Protestant church of Ireland, as the House was called upon to apprehend from it. Depend upon it, if the character of the bill was what its adversaries represented it, and if the Roman Catholic clergy were also as ardent for the prosperity of their own church, and as wise in their generation, as they were argued by the same authority and admitted by him, to be,—any little discontent which they might have felt from the fear of a diminution of their influence over their flocks, would have been more than counterbalanced by the contemplation of the advantage to be derived from the operation of the bill, to the exaltation of the Popish, at the expense of the Protestant establishment and hierarchy. The murmurs of the more violent Roman Catholic prelates were, therefore, to him (Mr. C.) one conclusive indication of the probable tendency of the bill, to confirm and consolidate the Protestant church in Ireland.

He next touched upon the number of Catholic members that were likely to be introduced by it into parliament, contending, in contradiction to the opponents of the measure, that instead of 70 from Ireland and 30 from England, the utmost that would probably be returned would be a dozen in the whole. Admitting, however, as he had in a former debate, for argument's sake, that more might obtain entrance, allowing even that the vision of the hundred knights was to be realised, still he asked in what way would they be able to set about the destruction of the constitution? The other side, who talked so much of danger, was bound to show from whence it would proceed, and how it would operate—in what way the Catholic representatives would succeed in corrupting the rest of the 568 members, or at least the whole of the minorities on the late divisions on this subject, and the greater part of the supporting majorities [Hear!].

He contended that the measure was eminently calculated to conciliate the Irish, and to cement the union; the recentness of which was to be considered as an advantage instead of an objection, inasmuch as expectations indulged since that event were now to be realised; promises and pledges were to be fulfilled before hope should have been so delayed as to make sick the heart. In the Union, then, he found one of the strongest reasons for enacting the bill. For what was the state of Ireland in its relation to this country? Of 15 millions of subjects, 5 were separated from the rest, divided from the general body by the channel. "How," said the hon. gentleman, "are we to deal with them?"—Yes, that is the question on which depended all. To that consideration we must come at last, whether this bill were thrown out here or elsewhere [Cheers]. In that separated island were to be found four millions of Roman Catholics; and one million of Protestants, placed as garrisons in an enemy's territory; of which last million, one-half were the dreaded Dissenters, from whom so much danger had been feared.—Should we, then, incorporate the hearts and feelings of four millions of Catholics in the same manner as we had incorporated their laws, their commerce, and their institutions? Should we unite them to Great Britain firmly and effectually? or, by a mistaken policy, coerce them in proportion to our danger? [Hear!] After half a century of concessions, should we now stop short; and, referring to the wisdom of our ancestors in the period preceding those concessions, should we, after having again conquered the Irish, again degrade them into helots, in order that we might fear nothing, unless a servile war? No man had openly avowed that policy. The system of laws formerly devised to bring to completion that odious project, and the effects produced by it, no human being was willing to revive. That time was past. The question was not now, as in the beginning of the reign of Geo. 3rd, between the maintenance of that system, and a beginning of a milder policy; but between the memory of that system, and the completion of the benevolent legislation of the reign of Geo. 3rd, by raising those who were its victims to the level of ourselves [Loud cheers].

The right hon. gentleman who had introduced this bill with an eloquent precision that would not have disgraced Tacitus, pointed out in his speech, as in a funeral procession, the statues of those great orators who had distinguished themselves in this question. Among the names he (Mr. Canning) had missed one now no more, never second in the zeal of his resistance, but whose place had this evening, for the first time, been amply supplied by an hon. and learned gentleman (Mr. Ellis of Dublin, we understood) from the same country; indeed, so amply and efficiently, so much in the spirit and manner of the great original, that little was left to be desired. As applied to that honourable substitute, he might, perhaps, be allowed to parody two well-known lines:

"The tone, the topics opening to my view,
"Methinks I see my Duigenan here anew!"

[Laughter.]

He must observe, however, that in one part of his argument, in one only, that hon. and learned gentleman had been somewhat unfair. He had objected to the bill as a fault, that it contained a clause, excluding Roman Catholics from several parochial offices; a petty species of legislation in the hon. and learned gentleman's view, and altogether unworthy of so great a subject. Now, surely, surely, the hon. gentleman who had watched the progress of the bill with so much solicitude, must know that this fault, if it be one, was not the fault of the framers of the bill;—that this merit, if merit it were, was wholly attributable to the zeal of his right hon. friend,—the hon. and learned gentleman's leader in these combats—(Mr. Peel); who, foreseeing with admirable prescience that danger to all the affairs of the parish, to which the hon. and learned gentleman appeared most unaccountably insensible, had provided by this special clause for their protection. His right hon. friend (Mr. Peel) would, he was sure, give him (Mr. C.) due credit for his forbearance in not having before taken any notice of this mighty effort of legislation. It was very, very tempting; but he had purposely forborne; though certainly nothing since the famous Memoirs of P. P. clerk of the parish, had exhibited so fine a specimen of parochial politics. But to have this clause fathered upon the framers of the bill, and by one of its own near relations, was more than flesh and blood could bear. His right hon. friend must forgive him, if, upon such a provocation, he could not abstain from swearing it to its true parent.

It was, however, a consolatory circumstance to see how his right hon. friend's arguments against the measure before the House had dwindled. Formerly, nothing was heard of in conjunction with this measure, but a tottering throne, a trembling crown, a shaking sceptre; but now the chief danger was described as threatening parish officers; formerly, the appalling question was, how, after such a bill had passed, should we be able to support the church establishment? now, it is only how shall we repair the parish church? Comparative trifles now occupied one who before had dealt only with the most magnificent declarations.

———— "Nunc reges, atque tetrarchas,
"Omnia magna loquens;—Nunc"——
Vestries atque *Churchwardens!*

[A laugh.] He trusted that a grateful

posterity would remember with becoming honour, the legislators who had wisely placed such guards, not round the church, but round its overseers. Let not the House however be impeded by the smaller obstacles any more than by those which are now removed: let it not, in its full march to the liberation of five millions of fellow-subjects, be stopped at the top of the hill, and turned back by his right hon. friend and his churchwarden [Hear! and laughter].

Referring now to some general considerations, the right hon. gentleman expressed his decided opinion that the provision for the Catholic clergy ought to be made a matter of subsequent consideration. He desired the House to contemplate the Catholics in their real character, maintaining that, *à priori*, a church-of-England man would be more ready to admit to equal privileges one who disagreed merely on such a speculative matter as the doctrine of transubstantiation, than one who denied the great fundamental doctrines of the Trinity, the Atonement, and the Divinity of the Saviour. Yet every day dissenters were admitted to take the oath at the table, and to share the honours and labours of legislation. There were more points of agreement between the Church-of-England man and the Catholic, than between the Church-of-England man and many of the Dissenters. If the House went back to times of dangers and of terrors, was there more dread to be apprehended of the renewal of the fires of Smithfield as in the reign of Mary, than was to be feared of a repetition of the Acts of the Covenanters in the reign of Charles 1st? The character of the modern Roman Catholics was not to be sought from the preambles of the acts of Elizabeth, James 1st, or Charles 2nd, but from the Preambles of the Acts which had passed both in the English and Irish parliaments since 1778. Let not the House, then, dwell only on points of difference, without adverting also to those of resemblance: let it recollect that Catholics and Protestants were fellow-christians; that they were fellow-subjects; that their blood was mingled in marriages; that it had often been mingled in the field; that the Catholic had gone before the Protestant in resistance to foreign dominion; that together they had framed and supported the constitution, and together they ought to enjoy it [Hear hear!]. The time was now come when public feeling was decidedly in favour of the concession, provided it were temperately carried, and provided those whom it was intended to relieve, did not dash the cup from their lips [Hear, hear, hear!]. For the temper of parliament he could answer; but for the temper of the Catholic clergy he could not be a guarantee. If, however, they had a spark of patriotism, or if they felt that love for their flocks which they pretended, they would not impede the progress of legislation by hopeless and interminable agitation! [Continued cheering].

The right hon. gentleman concluded a very argumentative and eloquent speech, which we lament our inability to report at any length, from the late hour at which he rose, by conjuring the House to pass this bill, regardless of those angry squabbles without doors and petty difficulties within, which must encompass every measure of such magnitude. He conjured them not to stop short from any feelings of false pride,—not to incur the responsibility of having taught a people to seek for general peace at their hands, and of then forcing them to retire back upon themselves. Let us rather, in the language of both Liturgies, exclaim *Sursum Corda!* let us raise our hearts to the Dispenser of all good, and with that elevation of soul, let us proceed in that great work which we have begun; and which, sooner or later, will find its own way to the final consummation, so devoutly to be wished by all good men. [The conclusion of the right hon. gentleman's speech was loudly and ardently cheered.]

The House divided: Ayes, 216; Noes, 197: Majority for the third reading of the bill, 19. The bill was then read a third time, and passed.

APPENDIX.

FINANCE ACCOUNTS

FOR THE YEAR ENDED 5TH JANUARY 1820.

CLASS.

I. - - - - Public Income - - - for the Year ended 5 Jan. 1820 *Appen. p.* i
II. - - - - Consolidated Fund - - - - - - - — - - - - - - - iii
III. - - - - Arrears and Balances - - - - — - - - - - - - xiii
IV. - - - - Trade and Navigation - - - - — - - - - - - - xv
V. - - - - Public Expenditure - - - - - - — - - - - - - - xxi
VI. - - - - Public Funded Debt - - - - - - — - - - - - - - xxiii
VII. - - - - Unfunded Debt - - - - - - - - - - — - - - - - - - xxxv
VIII. - - - - Disposition of Grants - - - - - — - - - - - - - xxxv

I.—PUBLIC INCOME OF THE UNITED KINGDOM,

FOR THE YEAR ENDED FIFTH JANUARY, 1820.

An Account of the Ordinary Revenues and Extraordinary Resources, constituting the Public Income of the United Kingdom of Great Britain and Ireland, for the Year ended 5th January, 1820.

HEADS OF REVENUE.	GROSS RECEIPT; Total Sum to be accounted for.			Drawbacks, Discounts, Charges of Management, &c. paid out of the Gross Revenue.			NETT PRODUCE applicable to National Objects, and to Payments into the Exchequer.		
Ordinary Revenues.	£.	s.	d.	£.	s.	d.	£.	s.	d.
CUSTOMS, including the Annual Duties ...	15,304,595	2	0	3,611,930	17	9¾	11,692,664	4	2¼
EXCISE, including the Annual Duties	28,546,895	10	0	2,981,255	5	5	25,565,640	4	7
STAMPS	7,349,246	14	5½	460,172	6	1	6,889,074	8	4½
LAND AND ASSESSED TAXES, including the Assessed Taxes of Ireland	8,644,148	17	1	388,594	0	9	8,255.554	16	4
POST OFFICE	2,402,697	1	9¼	612,497	3	2¼	1,790,199	18	7
PENSIONS AND SALARIES ... 1s. in the £..........	19,844	6	7	491	5	0	19,353	1	7
PENSIONS AND SALARIES ... 6d. in the £..........	10,678	5	1	641	1	10	10,037	3	3
HACKNEY COACHES..........	26,714	18	3	4,150	14	9	22,564	3	6
HAWKERS AND PEDLARS	29,378	11	7¾	3,456	11	7	25,922	0	0¾
POUNDAGE FEES (Ireland)	4,227	7	3½	-	-	-	4.227	7	3½
PELLS FEES ... . Do..........	845	9	3½	-	-	-	845	9	3½
CASUALTIES .... Do..........	4,826	14	0½	-	-	-	4,826	14	0½
TREASURY FEES, and Hospital Fees (Do.)	660	19	11½	-	-	-	660	19	11½
SMALL BRANCHES OF THE KING'S HEREDITARY REVENUE	148,192	4	6¾	4,725	10	3¼	143,466	14	3½
TOTAL of Ordinary Revenues	62,492,952	2	0¼	8,067,914	16	8¼	54,425,037	5	4
Extraordinary Resources.									
PROPERTY TAX AND INCOME DUTY. (Arrears)	183,134	6	8	8,650	17	9¼	174,483	8	10¾
Lottery, Nett Profit	679,150	0	0	13,850	0	0	665,300	0	0
Unclaimed Dividends, &c. per Act 56 Geo. 3, cap. 97	237,512	16	11	-	-	-	237.512	16	11
Surplus Fees of Regulated Public Offices ...	25,280	10	3	-	-	-	25.280	10	3
Voluntary Contributions	57,870	18	6	-	-	-	57,870	18	6
From several County Treasurers in Ireland, on account of Advances made by the Treasury for improving Post Roads, for building Gaols, and under the Police Act of 54 Geo. 3 (Ireland)..........	79,717	8	4	-	-	-	79,717	8	4
Imprest Monies repaid by sundry Public Accountants, and other Monies paid to the Public	374,906	9	9	-	-	-	374,906	9	9
TOTAL (exclusive of Loans)	64,130,524	12	5¼	8,090,415	14	5½	56,040,108	17	11¾
Loans paid into the Exchequer..........	18,756,087	6	4	-	-	-	18,756,087	6	4
GRAND TOTAL..........	82,886,611	18	9¼	8,090,415	14	5½	74,796,196	4	3¾

II.—CONSOLIDATED FUND AND PERMANENT TAXES.—INCOME AND CHARGE, 1820.

INCOME.		£. s. d.
CUSTOMS: Consolidated......	£. 4,191,116 4 3¼	
Isle of Man	10,556 15 2	
Quarantine Duty..............	28,386 7 7	
Canal and Dock Duty.........	33,219 10 2½	
Temporary or War Duty, 1809 (made permanent anno 1816)	437,770 16 7½	
Ditto in 1810 and 1811	63,690 11 11¾	
		4,764,740 5 10

CHARGE.	Actual Payment out of the Consolidated Fund, in the Year ended 5th January, 1820. £. s. d.	Future Annual Charge upon the Consolidated Fund, as it stood on 5th January 1820. £. s. d.
Total Charge for Debt created prior to the Year 1810	24,895,944 6 10	24,545,515 5 2¼
CIVIL LIST:		
For the support of his Majesty's Household per sundry Acts .... £. 1,028,000 Deduct per Act 59 Geo. 3, £. 60,000 per annum, from 5th April 1819 45,000	983,000 0 0	983,000 0 0
COURTS OF JUSTICE:		
Judges of England and Wales, in Augmentation of their Salaries	13,050 0 0	13,050 0 0
Deficiencies of Judges Salaries in England	13,584 8 1	Uncertain.
Additional Salaries to Welsh Judges	3,200 0 0	3,200 0 0
John Baldwin, Esq. Receiver of the Seven Police Offices	21,970 19 11	Uncertain.
Patrick Colquhoun, Esq. Do. Thames Do.	7,351 8 6	Ditto.
Sheriffs of England and Wales	4,000 0 0	4,000 0 0
MINT:		
Master of the Mint in England	13,800 0 0	13,800 0 0
Ditto.........Do.........Scotland...........	1,200 0 0	1,200 0 0
SALARIES AND ALLOWANCES:		
Speaker of the House of Commons, to complete his Salary of £. 6,000 per annum..........................	1,793 6 0	Uncertain.
Edward Roberts, Esq. an annual Sum formerly paid to the Auditor	650 0 0	650 0 0
George Pepler, Esq. Inspector of Tentine Certificates...	600 0 0	Uncertain.
Chief Cashier of the Bank, for Fees	1,175 0 0	Ditto.
For the Encouragement of the Growth of Hemp and Flax in Scotland	2,956 13 8	2,956 13 8

EXCISE: Consolidated, after reserving the several sums carried, per Acts 52 and 55 Geo. 3, to the Duties pro Annis 1812 and 1815	16,410,360 0 6½	
British Spirits, Anno 1806	627,200 0 0	
		17,037,560 0 6½
STAMPS: Consolidated, after reserving as directed per Acts 50 and 55 Geo. 3	4,140,086 8 9	
Licences for selling Lottery Tickets	3,713 15 8	
		4,143,800 4 5
INCIDENTS		7,079,402 10 8
		[This Account continued over leaf.]

COMMISSIONERS OF PUBLIC ACCOUNTS:		
Wm. Mackworth Praed, Esq. Chairman	1,500 0 0	1,500 0 0
Sir Charles R. Boughton, Bart.	1,200 0 0	1,200 0 0
Richard Dawkins, Esq.	1,200 0 0	1,200 0 0
John Whishaw, Esq.	1,200 0 0	1,200 0 0
John Sargent, Esq.	1,200 0 0	1,200 0 0
John Anstey, Esq. (Dead)	1,058 12 4¾	—
Salaries, &c. in the Office of the said Commissioners	34,124 5 2	Uncertain.
COMMISSIONERS OF WEST INDIA ACCOUNTS:		
John Halket, Esq.	1,500 0 0	1,500 0 0
James Chapman, Esq.	1,000 0 0	1,000 0 0
John Wilson, Esq.	1,000 0 0	1,000 0 0
Salaries, &c. in the Office of the said Commissioners	6,597 12 10	Uncertain.
Lieut. Governor Lee and Lieut. Governor Charles M'Carthy, being the Bounty on the Seizure and Condemnation of Slaves, per Act 47, Geo. 3, cap. 36	214 0 0	Uncertain.
Captain A. Grant and Lieut Governor M'Carthy, as above Ditto Ditto	52 0 0	
Lieut. B. Sullivan Ditto Ditto	420 0 0	
W. Vesey Munnings, Esq. President of the Bahamas Ditto Ditto	835 0 0	
Edward Allured Draper, Acting Collector of the Customs at the Mauritius Ditto Ditto	128 0 0	
John Ouseley Kearney, Esq. Ditto Ditto	176 0 0	
Zachary Macauley, Esq. Ditto Ditto	2,020 0 0	
Lieut. G. B. Vine, Esq. Ditto Ditto	1,324 0 0	
Major General Hall, acting Governor of the Mauritius Ditto Ditto	1,197 0 0	
Lieut. Col. Maxwell, Governor of Dominica Ditto	32 0 0	
Ditto Ditto Ditto	13 0 0	
General Ryall, Governor of Grenada Ditto	13 0 0	
S. Bridgwater and John Laidlaw, Collectors, &c. of the Customs at Dominica Ditto	117 0 0	
Russian Dutch Loan, per Act 55 Geo. 3, cap. 115	126,374 3 5	
Deficiency of Profits to the South Sea Company, per Act 55 Geo. 3, cap. 57	1,916 3 0	
	[This Account continued over leaf.]	

	£.	s.	d.
Surplus Duty on Sugar, Malt, and Tobacco	2,796,292	5	6
Surplus Duties on Pensions, Offices, &c. Anno 1815, 1816, 1817, 1818	41,099	14	6½
Land Taxes, Anno 1725, 1790, 1800, 1803, 1805—1819	1,193.229	17	10¼
Arrears of Income Duty	26	10	0
Do. £. 10 per cent Anno 1806	8	6	2½
Money received on account of Nominees appointed by the Lords of the Treasury, in Tontine, Anno 1789	23,403	8	4¼
Surplus War Taxes repealed at 5 July 1816	3,466	6	8

	£.	s.	d.	£.	s.	d.
Towards the Purchase of an Estate for the Duke of Wellington, per Act 54 Geo. 3, cap. 161	210,000	0	0	Uncertain.		
Commissioners for inquiring into Charities	1,542	10	11	Ditto.		
Contingencies in the Office of Ditto	8,000	0	0	Ditto.		
Commissioners of Roads to Holyhead	25,000	0	0	Ditto.		
Irish Life Annuities	37,471	7	8½	Ditto.		
PENSIONS:						
Earl of Chatham	4,000	0	0	4,000	0	0
Lord Rodney	2,000	0	0	2,000	0	0
Lady Dorchester	1,000	0	0	1,000	0	0
John Penn, Esq.	1,000	0	0	1,000	0	0
Richard Penn, Esq.	3,000	0	0	3,000	0	0
Duke of Clarence	12,000	0	0	12,000	0	0
- - York	14,000	0	0	14,000	0	0
Duchess of York	4,000	0	0	4,000	0	0
Prince of Wales	65,000	0	0	65,000	0	0
Earl St. Vincent	2,000	0	0	2,000	0	0
Viscount Duncan	2,000	0	0	2,000	0	0
Duke of Kent	12,000	0	0	12,000	0	0
- - Cumberland	12,000	0	0	12,000	0	0
- - Richmond	6,333	6	8	6,333	6	8
Lord Erskine	4 000	0	0	4,000	0	0
Sir Archibald Macdonald	2,500	0	0	2,500	0	0
Sir Vicary Gibbs (Dead)	2,500	0	0	2,500	0	0
Sir James Mansfield	2,500	0	0	2,500	0	0
Sir William Grant	2,500	0	0	2,500	0	0
Sir Alan Chambré	2,000	0	0	2,000	0	0
Sir Sidney Smith	1,000	0	0	1,000	0	0
Baroness Abercrombie	2,000	0	0	2,000	0	0
J. W. Compton	1,000	0	0	1,000	0	0
Alexander Croke	1,000	0	0	1,000	0	0
John Hinchliffe	1,000	0	0	1,000	0	0
Duke of Sussex	12,000	0	0	12,000	0	0
- - Cambridge	12,000	0	0	12,000	0	0
Lord Hutchinson	2,000	0	0	2,000	0	0
Sir James Saumarez	1,200	0	0	1,200	0	0
Lord Boringdon, et al. for Lord Amherst	3,000	0	0	3,000	0	0
Duke of Atholl	3,769	0	0	Uncertain.		
Henry Moreton Dyer, Esq	1,000	0	0	1,000	0	0

Arrears of Property Duty, after satisfying £. 250,000 pro Anno 1818	162,537	9	2¾
Brought from Life Annuities	42,237	4	3
Monies paid by divers persons	226,994	4	2
TOTAL Income of Duties, &c. applicable to paying the Charges prior to the Year 1810, and the Incidental Charges as they stood on the 5th January 1820	37,514,798	8	2¾

[This Account continued over leaf.]

John Sewell, Esq.	1,000	0	0	1,000	0	0
W. Terrell, Esq.	1,000	0	0	1,000	0	0
Lady Nelson	2,000	0	0	2,000	0	0
Sir Richard Strachan	1,000	0	0	1,000	0	0
Lady Collingwood (dead)	500	0	0	—		
Hon. Sarah Collingwood	500	0	0	500	0	0
Hon. Mary P. Collingwood	500	0	0	500	0	0
Duke of Clarence	6,000	0	0	6,000	0	0
- - Kent (Dead)	6,000	0	0	6,000	0	0
- - Cumberland	6,000	0	0	6,000	0	0
- - Sussex	6,000	0	0	6,000	0	0
- - Cambridge	6,000	0	0	6,000	0	0
- - Gloucester	14,000	0	0	14,000	0	0
Princess Sophia of Gloucester	7,000	0	0	7,000	0	0
Earl Nelson	5,000	0	0	5,000	0	0
Lord Rodney	923	1	6	923	1	6
Viscount Lake	2,000	0	0	2,000	0	0
Viscount Wellington	2,000	0	0	2,000	0	0
Earl of Ditto	2,000	0	0	2,000	0	0
Hon. Jane Perceval	2,000	0	0	2,000	0	0
Princesses Augusta, Elizabeth, Mary, and Sophia, 9,000*l.* per annum to each	36,000	0	0	36,000	0	0
Sir Archibald Macdonald	800	0	0	800	0	0
Sir James Mansfield	800	0	0	800	0	0
Sir Vicary Gibbs (dead)	800	0	0	800	0	0
Sir William Grant	800	0	0	800	0	0
Sir Alan Chambré	600	0	0	600	0	0
Princess of Wales	35,000	0	0	35,000	0	0
Duke of Wellington	8,531	5	0	8,531	5	0
Lord Beresford	2,000	0	0	2,000	0	0
Lord Combermere	2,000	0	0	2,000	0	0
Lord Exmouth	2,000	0	0	2,000	0	0
Lord Hill	2,000	0	0	2,000	0	0
Lord Lynedoch	2,000	0	0	2,000	0	0
Duke of York, et al. in trust for the Prince of Saxe Cobourg	50,000	0	0	50,000	0	0
Duke of York	12,000	0	0	12,000	0	0
- - Clarence	2,500	0	0	2,500	0	0
Princesses Augusta, Elizabeth, Mary, and Sophia, £. 4,000 per annum each	16,000	0	0	16,000	0	0
Lord Colchester	4,000	0	0	4,000	0	0

[This Account continued over leaf.]

	£.	s.	d.
Total Income of Duties, &c. applicable to paying the Charges prior to the Year 1810, and the Incidental Charges as they stood on 5th January 1820	37,514,798	8	2¾
Total Income of Duties for the Year 1810	1,460,750	2	0
Ditto. 1811	429,328	0	0
Ditto 1812	1,322,421	4	11
Ditto 1813	216,286	1	1
Ditto 1814	22,000	0	0
Ditto 1815	759,475	10	10
	41,725,059	7	0¾

	£.	s.	d.	£.	s.	d.
Duke of Cambridge	6,000	0	0	6,000	0	0
- - Kent	6,000	0	0	6,000	0	0
Servants of the late Queen Charlotte	13,676	16	9	Uncertain.		
Total of Incidental Charges, &c. upon the Consolidated Fund, as they stood on the 5th January 1820	2,008,991	5	9¼	1,485,944	6	10
Total Charge for Debt incurred prior to the year 1810	24,895,944	6	10	24,545,515	5	2¼
Total of Incidental Charges, &c.	2,008,991	5	9¼	1,485,944	6	10
Total Charge for Debt incurred in the Year 1810	1,276,589	0	2½	1,276,589	0	2½
Ditto 1811	1,495,929	14	9	1,495,929	14	9
Ditto 1812	2,216,397	10	6¾	2,216,397	10	6¾
Ditto 1813	4,152,867	6	9¾	4,152,867	6	9¾
Ditto 1814	3,268,802	16	0½	3,269,727	2	6¼
Ditto 1815	4,365,619	10	2	4,365,619	10	2
Ditto 1816	79,362	1	1¼	77,348	7	10
Ditto 1818	1,936,805	19	11½	1,603,777	17	0
Ditto 1819	310,265	18	8¼	1,431,714	12	4
	46,007,575	10	10¾	45,921,430	14	2½
Interest on Exchequer Bills issued to make good Deficiency Consolidated Fund	72,889	3	2	Uncertain.		
	46,080,464	14	0¾	45,921,430	14	2½

III.

ARREARS AND BALANCES OF PUBLIC ACCOUNTANTS.

FOR THE YEAR ENDED FIFTH JANUARY, 1820.

HEADS OF THESE ACCOUNTS.

CUSTOMS in England;—Balances and Arrears, the 5th January, 1820.
Ditto in Scotland;—Current Balances, on the 5th January, 1820.
Ditto in Ireland;—Balances, 5th January, 1820.

EXCISE in England;—Arrears and Current Balances, due on 5th January 1820.
Ditto in Scotland;—Arrears and Current Balances Ditto.
Ditto in Ireland;—Balances of deceased and dismissed Collectors, 5th January, 1820.

STAMPS in Great Britain;—Arrears due on 5th January, 1820, from Distributors.
Ditto Ditto —Nett Balances in the hands of Distributors.
Ditto in Ireland; —Balances and arrears on 5th January, 1820.

LAND AND ASSESSED TAXES in Great Britain;—Arrears and Balances, 5th January 1820.
Ditto in Ireland;—Balances of deceased and dismissed Collectors.
Ditto Ditto —Balance due by a dismissed Collector, 5th January, 1820.

POST OFFICE in Great Britain;—Arrears due on 5th January, 1820.
Ditto Ditto —Balances of Deputy Postmasters.
Ditto Ireland;—Arrears due on 5th January 1820.
Ditto Ditto —Balances of Deputy Postmasters.
Ditto Ditto —Arrears of Letter Carriers, on 5th January, 1820.
Ditto Ditto —Insolvent Arrears Ditto.
Ditto Ditto —Balances of Deputy Postmaster, &c.

LAND REVENUES OF THE CROWN in England and Wales;—Arrears and Current Balances, 5th Jan. 1820.

PUBLIC ACCOUNTANTS;—List of, in respect of whom the Execution of any process or proceeding hath been controlled, suspended, or prevented, between 5th January, 1819, and 5th January 1820.

ARMY ACCOUNTS;—Balances of Accountants, on 5th January, 1820.

COMMISSIONERS for auditing Public Accounts;—List of Officers and Departments whose Accounts have been usually Audited by them.

Ditto LIST OF ACCOUNTS delivered over to them, which have *not* been Audited, Stated, or Declared; completed to 5th January, 1820.

Ditto LIST OF ACCOUNTS delivered over to them, which *have* been either stated or declared, so far as any Balances appear to be now owing to or from the Public; completed to 5th January, 1820.

IV.

TRADE AND NAVIGATION OF THE UNITED KINGDOM.

I.—TRADE OF GREAT BRITAIN.

An Account of the Value of all IMPORTS into, and of all EXPORTS from, GREAT BRITAIN, during each of the Three Years ending the 5th January, 1820 (calculated at the Official Rates of Valuation, and stated inclusive and exclusive of the Trade with IRELAND); distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandize Exported:—also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported from GREAT BRITAIN, according to the Real and Declared Value thereof.

YEARS.		OFFICIAL VALUE OF IMPORTS into Great Britain.		OFFICIAL VALUE OF EXPORTS.						Declared Value of the Produce and Manufactures of the United Kingdom Exported.	
				Produce and Manufactures of the United Kingdom.		Foreign and Colonial Merchandize.		Total Exports.			
		£.	s.	£.	s.	£.	s.	£.	s.	£.	s.
VALUE, Inclusive of the Trade with Ireland.	1818	33,965,232	6	41,588,585	11	11,534,616	12	53,123,202	4	43,626,253	14
	1819	40,135,952	0	44,564,044	14	12,287,274	15	56,851,319	9	48,903,760	16
	1820	33,625,744	13	35,634,415	11	11,278,076	17	46,912,492	8	37,939,506	17
VALUE, exclusive of the Trade with Ireland.	1818	29,910,502	9	39,233,466	19	10,269,271	8	49,502,738	8	40,349,235	6
	1819	35,845,340	0	41,963,527	0	10,835,800	6	52,799,327	7	45,188,249	9
	1820	29,681,836	14	32,923,574	18	9,879,236	0	42,802,810	18	34,248,495	6

2.—TRADE OF IRELAND.

An Account of the Value of all IMPORTS into, and all EXPORTS from IRELAND, during each of the Three Years ending the 5th of January, 1820 (calculated at the Official Rates of Valuation, and stated inclusive and exclusive of the Trade with GREAT BRITAIN); distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandize Exported;—also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported from IRELAND, according to the Value thereof, as computed at the Average Prices Current.

YEARS.		OFFICIAL VALUE OF IMPORTS.		OFFICIAL VALUE OF EXPORTS.						Declared Value of Produce and Manufactures of the United Kingdom Exported.	
				Produce and Manufactures of the United Kingdom.		Foreign and Colonial Merchandize.		Total Exports.			
		£.	s.	£.	s.	£.	s.	£.	s.	£.	s.
VALUE, inclusive of Trade with GreatBritain.	1818	5,644,175	16	6,412,892	10	150,562	7	6,563,454	18	10,526,325	8
	1819	6,098,720	2	6,436,950	14	84,078	9	6,521,029	4	11,776,860	14
	1820	6,395,972	17	5,708,582	15	61,882	12	5,770,465	7	9,747,206	1
VALUE, exclusive of Trade with GreatBritain.	1818	889,335	14	851,548	5	23,413	4	874,961	10	1,411,897	9
	1819	1,033,660	7	736,325	17	24,057	17	760,383	15	1,423,099	0
	1820	1,093,247	8	558,261	10	25,948	11	584,210	2	956,069	12

NAVIGATION OF THE UNITED KINGDOM.

An Account of the Number of VESSELS, with the Amount of their TONNAGE, that were built and registered in the several Ports of the British Empire, in the Years ending the 5th January 1818, 1819, and 1820, respectively.

—	In the Years ending the 5th January,					
	1818.		1819.		1820.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom	758	81,263	752	86,748	777	89,091
Isles, Guernsey, Jersey, and Man	8	845	9	316	20	1,381
British Plantations	316	22,321	298	17,302	238	15,453
Total..........	1,082	104,429	1,059	104,366	1,035	105,925

An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS usually employed in Navigating the same, that belonged to the several Ports of the British Empire, on the 30th September, in the Years 1817, 1818, and 1819, respectively.

—	On 30th Sept. 1817.			On 30th Sept. 1818.			On 30th Sept. 1819.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
United Kingdom ...	21,290	2,397,665	152,352	21,526	2,426,969	154,891	21,501	2,425,885	155,277
Isles, Guernsey, Jersey, and Man	485	23,689	3,190	498	25,639	3,595	496	25,712	3,613
British Plantations...	3,571	243,632	15,471	3,483	221,860	15,121	3,485	214,799	15,488
Total......	25,346	2,664,986	171,013	25,507	2,674,468	173,607	25,482	2,666,396	174,378

An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS employed in Navigating the same (including their repeated Voyages), that entered INWARDS, and cleared OUTWARDS, at the several Ports of the United Kingdom, from and to all Parts of the World (exclusive of the Intercourse between GREAT BRITAIN and IRELAND respectively) during each of the Three Years ending 5th January 1820.

Years ending 5th Jan.	INWARDS.								
	BRITISH AND IRISH.			FOREIGN.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1818...	11,255	1,625,121	97,273	3,396	445,011	27,047	14,651	2,070,132	124,320
1819...	13,006	1,886,394	111,880	6,230	762,457	43,936	19,236	2,648,851	155,816
1820...	12,027	1,817,841	108,012	4,225	543,976	32,699	16,252	2,361,817	140,711
	OUTWARDS.								
1818...	10,713	1,558,336	97,362	2,905	440,622	25,270	13,618	1,998,958	122,632
1819...	11,442	1,715,566	106,610	5,400	734,571	40,181	16,842	2,450,137	146,791
1820...	10,197	1,554,089	96,811	3,785	554,749	30,266	13,982	2,108,838	127,077

V.—PUBLIC EXPENDITURE—5th Jan. 1820.

Heads of Expenditure.	Sums.			Total.		
	£.	s.	d.	£.	s.	d.
I. For Interest, &c. on the permanent Debt of the United Kingdom, unredeemed; including Annuities for Lives and Terms of Years……	-	-	-	46,467,999	17	10
II. The Interest on Exchequer Bills, and Irish Treasury Bills……	-	-	-	779,992	3	5¼
III. The Civil Lists of England…… £. 983,000 0 0 Ireland ……… 198,056 10 10½	1,181,056	10	10½			
IV. The other Charges on the Consolidated Fund. Courts of Justice in England ……	63,156	16	6			
Mint……	15,000	0	0			
Allowances to the Royal Family, Pensions, &c. ……	472,233	14	2			
Salaries and Allowances ……	58,755	10	0¾			
Bounties, Compensations, &c. ……	6,451	0	0			
Miscellaneous ……	372,832	17	4			
Permanent Charges in Ireland ……	369,089	14	8¾			
				2,538,666	3	8
V. The Civil Government of Scotland ……	-	-	-	129,988	5	5½
VI. The other Payments in anticipation of the Exchequer Receipts, viz. £. s. d. Bounties for Fisheries, Manufactures, Corn, &c. .. Customs 245,216 11 1¼ Excise… 68,716 8 9	313,932	19	10¼			
Pensions on the Hereditary Revenue …… Excise.. £. 14,000 0 0 Post Office 13,700 0 0	27,700	0	0			
Militia and Deserters Warrants, &c. Excise and Taxes ..	47,534	1	2¾			
				389,167	1	1
VII. The Navy, viz Wages ……	2,281,000	0	0			
General Services……	2,949,728	6	1			
	5,230,728	6	1			
The Victualling Department ……	1,164,824	12	7			
				6,395,552	18	8
VIII. The Ordnance ……	-	-	-	1,538,209	3	10¾
IX. The Army, viz. Ordinary Services ……	7,719,924	3	9¼			
Extraordinary Services ……	1,730,726	10	1½			
				9,450,650	13	10¾
X. Loans, Remittances, and Advances to other Countries …	-	-	-	—		
XI. Issues from Appropriated Funds, for Local Purposes …	-	-	-	53,101	1	1
XII. Miscellaneous Services, viz. At Home……	1,595,207	2	11¼			
Abroad……	260,741	9	2¼			
				1,855,948	12	1½
				69,599,276	1	1½
Deduct, Sinking Fund on Loan to the East India Company ……				150,376	7	6
				*69,448,899	13	7½

---

* This includes the Sum of £. 495,563 19 9¼ for Interest, Management, and Sinking Fund, on Imperial Loan; and £. 57,006 8 5½, Portuguese Loan.

VI.—PUBLIC FUNDED DEBT.

An Account of the PUBLIC FUNDED DEBT of the UNITED KINGDOM, payable in GREAT BRITAIN, as the same stood on the 5th of January, 1820.

	CAPITALS, at £.3 per Cent per Annum.				CAPITALS at £.3 10s. per Cent per Annum.	Consolidated £.4 per Cents.	CAPITALS, at £.5 per Cent Consolidated Annuities.
	Bank of England Annuities 1726.	South Sea Old and New Annuities, 1751.	Consolidated Annuities.	Reduced Annuities.			
	£.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
TOTAL DEBT of the United Kingdom, payable in Great Britain ...	14,686,800	21,037,684 13 11½	416,470,358 17 1¼	207,379,061 11 4	22,845,896 3 11	74,935,719 2 2	134,900,057 9 7
Ditto payable in Ireland	- -	- - -	- - -	- - -	19,164,273 6 1¾	789,784 12 3¼	11,215,436 18 3
TOTAL LOANS to the Emperor of Germany, payable in Great Britain	- -	- - -	7,502,633 6 8	- - -	- - -	- - -	- - -
Ditto to the Prince Regent of Portugal, payable in Ditto	- -	- - -	- - -	895,522 7 9	- - -	- - -	- - -
	14,686,800	21,037,684 13 11½	423,972,992 3 9¼	208,274,583 19 1	42,010,169 10 0¾	75,725,503 14 5¼	146,115,494 7 10
In the Names of the Commissioners of the National Debt	- -	7,915,100 0 0	44,643,049 2 3	71,417,644 10 2	9,934,719 6 9¼	184,599 16 4¾	23,334 2 6
	14,686,800	13,122,584 13 11½	379,329,943 1 6¼	136,856,959 8 11	32,075,450 3 3½	75,540,903 18 0½	146,092,160 5 4
Transferred to Commissioners for Purchase of Life Annuities, per Act 48 Geo. 3, cap. 142	- -	- - -	3,366,836 0 0	1,814,615 0 0	- - -	26,176 0 0	69,759 0 0
TOTAL.........	14,686,800	13,122,584 13 11½	375,963,107 1 6¼	135,042,324 8 11	32,075,450 3 3½	75,514,727 18 0½	146,022,401 5 4

(Repeated Column.)	CAPITALS at £.5 per Cent. Annuities, 1797 and 1802.	TOTAL CAPITALS.	ANNUAL INTEREST.	Annuities for Lives, or for Terms of Years.	Charges of Management.	Annual, or other Sums, by sundry Acts.	TOTAL of ANNUAL EXPENSE.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
TOTAL DEBT of the United Kingdom, payable in Great Britain ..	1,021,968 12 4	894,815,126 14 1¾	30,457,232 11 11¾	1,419,676 5 7¾	274,206 15 3½	12,587,875 18 0¼	44,738,991 10 11¼
Ditto payable in Ireland	- - -	31,169,494 16 8	1,263,112 15 10¼	43,908 18 5¾	1,015 2 5	409,542 0 9	1,717,578 17 6
TOTAL LOANS to the Emperor of Germany, payable in Great Britain	- - -	7,502,633 6 8	225,079 0 0	- - -	1,761 16 3	36,693 0 0	263,533 16 3
Ditto Ditto to the Prince Regent of Portugal, payable in Ditto	- - -	895,522 7 9	26,865 13 5¼	- - -	98 0 11¼	30,000 0 0	56,963 14 4½
	1,021,968 12 4	934,382,777 5 2¾	31,972,290 1 3¼	1,463,585 4 1½	277,081 14 10¾	13,064,110 18 9¼	46,777,067 19 0¾
In the Names of the Commissioners of the National Debt	6,462 9 4	134,124,909 7 5	4,075,862 16 0½	583 8 4	- - -	4,076,446 4 4½	—
	1,015,506 3 0	800,257,867 17 9¾	27,896,427 5 2¾	1,463,001 15 9½	277,081 14 10¾	17,140,557 3 1¾	46,777,067 19 0¾
Transferred to Commissioners for Purchase of Life Annuities, per Act 48 Geo. 3, cap. 142	- - -	5,277,386 0 0	159,978 10 4½	7,759 0 0	- - -	167,737 10 4½	—
	1,015,506 3 0	794,980,481 17 9¾	27,736,448 14 10¼	1,455,242 15 9½	277,081 14 10¾	17,308,294 13 6¼	46,777,067 19 0¾
Add Annuities payable at the Exchequer, unclaimed for three Years, at 5th January, 1820 ...	- -	- -	- -	- -	- -	30,377 15 9	
						17,338,672 9 3¼	
Deduct Life Annuities, payable at the Bank of England	- -	- -	- -	- -	- -	351,275 8 0	
Amount applicable to the Reduction of the Debt of the United Kingdom	- -	- -	- -	- -	- -	16,987,397 1 3¼	

WM. ROSE HAWORTH.

REDEMPTION OF THE PUBLIC FUNDED DEBT.

An Account of the Progress made in the Redemption of the Public Funded Debt of the United Kingdom, payable in Great Britain, at the 5th January, 1820.

FUNDS.	CAPITALS.			Long Annuities at the Bank of England.			Transferred to, or Redeemed by the Commissioners, from 1st August, 1786, to 5th Jan. 1820.			TOTAL SUMS Paid.			Average Price of Stocks.
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	
Consolidated £. 3 per Cent Annuities	509,207,744	7	10¼	-	-	-	121,591,607	0	0	78,875,867	6	11	64⅞
Reduced Do.	378,131,452	0	1	-	-	-	229,807,860	0	0	146,438,142	14	3	63¾
£. 3½ per Cent Annuities	22,845,896	3	11	-	-	-	3,750,800	0	0	3,147,287	15	0	83⅞
Old South Sea Do.	24,065,084	13	11½	-	-	Old	6,698,600	0	0	4,598,133	9	6	68⅝
New Do. Do.				-	-	New	5,043,500	0	0	3,505,581	6	9	69½
£. 3 per Cent Do. Anno 1751	1,919,600	0	0	-	-	-	1,120,000	0	0	789,234	5	0	70½
Consolidated £. 4 per Cent Annuities	82,732,119	2	2	-	-	-	7,796,400	0	0	6,586,934	8	9	84½
Do. £. 5 Do. Do.	135,042,057	9	7	-	-	-	145,500	0	0	130,113	7	6	89⅜
£. 5 per Cent Annuities, Annis 1797 and 1802	1,021,968	12	4		—		—			—			—
£. 3 per Cent, Do. Anno 1726	1,000,000	0	0		—		—			—			—
Do. Bank Annuities	14,686,800	0	0		—		—			—			—
Consolidated Long Annuities	-	-	- -	1,359,435	18	8½	—			—			—
£. 5 per Cent Annuities formerly paid by Ireland	1,717,876	13	1	-	-	-	180,296	9	4	155,334	10	3	86⅛
							376,134,563	9	4	244,226,629	3	11	
Capitals transferred to the Commissioners, the Dividends on which have not been claimed for 10 years and upwards, and which are subject to the Claims of the Parties entitled thereto	-	-	-	-	-	-	634,266	8	5				
	1,172,370,599	2	11¾	1,359,435	18	8½	376,768,829	17	9				
Transferred to Commissioners, on account of Land Tax Redeemed, at 5th January 1820	25,636,317	19	6		—								
	1,146,734,281	3	5¾		—								
Ditto for Purchase of Life Annuities, per Act 48 Geo. 3	5,277,386	0	0	7,759	0	0							
	1,141,456,895	3	5¾	1,351,676	18	8½							
Redeemed by the Commissioners, including Capitals, the Dividends upon which have not been claimed for 10 Years and upwards	376,768,829	17	9	583	8	4							
Unredeemed Debt of the United Kingdom, payable in Great Britain, at 5th January, 1820	764,688,065	5	8¾	1,351,093	10	4½							

Note.—The Unredeemed Debt of £. 764,688,065 5*s.* 8¾*d.* includes £. 34,304,000 created Anno 1819, and the Capital Redeemed of £. 376,768,829 17*s.* 9*d.* includes £. 17,152,000, being the amount of Capital obtained for the Sinking Fund Loan of £. 12,000,000 Anno 1819.

SUMS annually applicable to the Redemption of the National Debt.	£.	s.	d.	£.	s.	d.
Annual Charge, per Act 26 Geo. 3				1,000,000	0	0
Ditto .... 42 Ditto				200,000	0	0
Ditto...... per Act 59 Geo. 3, cap. 133, being £.1 per Cent on Exchequer Bills, outstanding, at 5th January, 1819				430,000	0	0
Annuities for 99 and 96 Years, Expired Anno 1792				54,880	14	6
Ditto for 10 Years .... Anno 1787				25,000	0	0
Exchequer Annuities Unclaimed for Three Years, at 5th January 1820				30,377	15	9
Ditto......of which Nominees shall have died prior to 5th July 1802				21,481	6	1
Annual Interest on £.364,261,567 Redeemed at £.3 per Cent				10,927,847	0	2¼
Ditto on 3,750,800 Ditto 3½ per Cent				131,278	0	0
Ditto on 7,796,400 Ditto 4 per Cent				311,856	0	0
Ditto on 145,500 Ditto 5 per Cent				7,275	0	0
Ditto on 180,296 9 4 Irish 5 per Cent, payable in England				9,014	16	5½
£.1 per Cent per annum on part of Capitals created, from 1st February 1793 to 1815, both inclusive				6,640,220	3	7½
Ann. Interest on £.5,181,451 at £.3 per Cents, transferred for Purchase of Life Ann.				155,443	10	7
Ditto on 26,176 at 4 per Cents Ditto				1,047	0	9½
Ditto on 69,759 at 5 per Cents Ditto				3,487	19	0
Long Annuities transferred for Ditto				7,759	0	0
Sinking Fund borne by Consolidated Fund, on Loans raised and Bills funded 1815, 1818. and 1819				1,377,013	4	7
Annual Appropriation on £.12,000,000, part of £.14,200,000, Loan 1807				626,255	10	5
Ann. Interest on £.187,908 9 5 at £.3 per Cents, uncl. for 10 years and upwards				5,637	5	0¾
Ditto on 21,261 7 2 at 4 per Cents Ditto				850	9	1
Ditto on 26,296 11 10 at 5 per Cents Ditto				1,314	16	7
Long Annuities, unclaimed Ditto Ditto				583	8	4
Ann. Interest on £.398,800, at 3 per Cents, purchased with unclaimed Dividends				11,964	0	0
				21,980,587	1	0½
Chargeable on Sinking Fund:						
Life Annuities	£.351,275	8	0			
Loans and Bills, funded from 1813 to 1815	7,632,969	14	9¼			
Part of Charge on Treasury Bills raised for Ireland, Anno 1816	9,014	16	5½			
	7,993,259	19	2¾			
Deduct for Sinking Fund for said Loans and Bills	2,213,024	18	10½	5,780,235	0	4¼
Actual Sinking Fund of Great Britain and Ireland, funded therein, Consolidated				16,200,352	0	8¼

ANNUITIES fallen in since June 22nd, 1802, or that will fall in hereafter.	£.	s.	d.
Exchequer Annuities, 2nd and 3rd Anne; Expired 5th April, 1803	23,369	13	4
Ditto............Ditto.........5th Jan. 1805	7,030	6	8
Ditto 4 Anne...Ditto.........5th April	23,254	11	6
Ditto 5 Ditto...Ditto.................. 1806	7,776	10	0
Ditto 6 Ditto...Ditto.................. 1807	4,710	10	0
Ditto............Ditto.........5th July	10,181	0	0
Bank Short Annuities, Do. 5th Jan. 1808	418,333	0	11
Ditto Long Ditto, will expire Ditto 1860	1,359,435	18	8½

By an Act of 42nd Geo. 3, cap. 71, such Annuities as fall in after the passing of that Act are not to be placed to the Account of the Commissioners for the Reduction of the National Debt.

An Account of the Progress made in the Redemption of the IMPERIAL DEBT, at 5th January, 1820.

FUNDS.	CAPITALS. £. s. d.	Long Annuities at the Bank of England. £. s. d.	Transferred to, or Redeemed by the Commissioners from 1st August, 1786, to 5th January, 1820. £. s. d.	TOTAL SUMS Paid. £. s. d.	Average Price of Stock.	SUMS Annually applicable to the Reduction of the NATIONAL DEBT.	£. s. d.	ANNUITIES fallen in since 22nd June, 1802, or that will fall in hereafter.
Imperial £.3 per Cent Annuities...............	7,502,633 6 8	- - -	2,320,479 0 0	1,457,327 19 3	62¾	£.1 per Cent per annum on Capitals created by Loan, 1797	36,693 0 0	Imperial Annuities for 25 Years, expired 1st May 1819.
Redeemed by the Commissioners, including Capital transferred to them, the Dividends on which have not been claimed for 10 Years and upwards..........	2,320,829 3 0	- - -	350 3 0			Annual Interest on £.2,320,479, at £.3 per Cent	69,614 7 4¾	£.230,000 0 0
						Ditto on £.350 3 0, Unclaimed Capital, for 10 Years and upwards, at £.3 per Cent	10 10 1	
							106,317 17 5¾	
Debt unredeemed at 5th January, 1820	5,181,804 3 8	- - -	2,320,829 3 0					

An Account of the Progress made in the Redemption of the DEBT of PORTUGAL, at 5th January, 1820.

Reduced £.3 per Cent Annuities...............	895,522 7 9	- - -	607,147 0 0	401,053 8 6	66	Annual Appropriation for Redemption of Loan, 1809	30,000 0 0	
Redeemed by the Commissioners	607,147 0 0					Annual Interest on £.607,147, at £.3 per Cent	18,214 8 2¼	
Debt Unredeemed at 5th January, 1820	288,375 7 9						48,214 8 2¼	

An Account of the Progress made in the Redemption of the FUNDED DEBT of IRELAND, payable in Ireland, at 5th January, 1820, in British Currency.

		Terminable and Life Annuities.			
£.3 10 per Cent Debentures and Stock...	21,224,501 12 3¾	- - -	8,244,147 12 11¼	6,487,999 1 11¾	78¾
£.4 per Cents............	1,061,630 15 4¼	- - -	435,184 12 3¾	385,623 16 5¾	88⅜
£.5 per Cents..........	12,754,346 4 10½	110,525 4 11¾	1,538,909 6 7¼	1,382,187 1 1¼	89¾
	35,040,478 12 6½	110,525 4 11¾	10,218,241 11 10¼	8,255,809 19 7¼	
Redeemed by the Commissioners	10,218,241 11 10¼				
Deduct Annuities expired	- - -	66,616 6 6			
Debt Unredeemed at 5th January, 1820	24,822,237 0 8¼	43,908 18 5¾			

Annual Charge, per Act 37 Geo. 3		62,445 5 7
Terminable Annuities expired ...		66,616 6 6
Part of per Centage on Loans and Outstanding Treasury Bills, at 5th January, 1820		252,403 10 2¼
Annual Interest on £.8,244,147 12 11¼, at 3½ per Cent.........		288,545 3 4
Ditto on £.435,184 12 3¾, at 4 per Cent		17,407 7 8¼
Ditto on £.1,538,909 6 7¼, at 5 per Cent		76,945 9 4
		764,363 2 7½
Chargeable on Sinking Fund :		
Interest cancelled in Ireland, towards defraying the Charge of Treasury Bills raised anno 1816, &c. the remainder being cancelled in England £.159,927 6 0¾		
Deduct for Sinking Fund for said Bills......	28,076 18 5¾	131,850 7 7
Actual Sinking Fund of Ireland, payable in Ireland ...		632,512 15 0½

VII.—UNFUNDED DEBT.

An Account of the UNFUNDED DEBT, and DEMANDS OUTSTANDING, on the 5th day of January, 1820.

	£.	s.	d.	AMOUNT OUTSTANDING. £.	s.	d.
EXCHEQUER:						
Exchequer Bills ... Provided for..	597,000	0	0			
Exchequer Bills ... Unprovided for	36,303,200	0	0	36,900,200	0	0
TREASURY:						
Miscellaneous Services	1,024,599	16	6			
Warrants for Army Services	138 089	14	1			
Treasury Bills of Exchange, drawn from Abroad	392,939	0	0			
Irish Treasury Bills: Provided for... 2,300,000 0 0 Unprovided for 2,000,000 0 0	4,300,000	0	0			
				5,855,628	10	7
ARMY				1,082,893	0	4
NAVY				1,258,174	15	6
ORDNANCE				236,508	2	4
BARRACKS				Nil.		
				45,333,404	8	9

Whitehall, Treasury Chambers,
27th April, 1820.

C. ARBUTHNOT.

VIII.—DISPOSITION OF GRANTS.

An Account, showing how the MONIES given for the SERVICE of the United Kingdom of GREAT BRITAIN and IRELAND, for the Year 1819, have been disposed of; distinguished under their several Heads, to the 5th January, 1820.

SERVICES.	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
NAVY	6,436,781	12	7	5,235,720	6	11
ORDNANCE	1,191,000	0	0	1,061,346	3	1
FORCES	8,782,470	5	7	6,909,351	3	0¾
FOR defraying the Charge of the CIVIL ESTABLISHMENTS under-mentioned, viz.						
Of the Bahama Islands, in addition to the Salaries now paid to the Public Officers, out of the Duty Fund, and the Incidental Charges attending the same, from the 1st of January to 31st December, 1819	3,301	10	0	2,000	0	0
Ditto...... Dominica .... from Ditto to Ditto	600	0	0	240	13	2
Ditto...... Upper Canada .... from Ditto to Ditto	10,800	0	0	5,000	0	0
Ditto...... Nova Scotia .... from Ditto to Ditto	13,440	0	0	6,720	0	0
Ditto...... New Brunswick .... from Ditto to Ditto	6,757	10	0	3,000	0	0
Ditto...... Cape Breton .... from Ditto to Ditto	2,190	0	0	1,000	0	0
Ditto...... St. John's (now called Prince Edward's Isl.) from Ditto to Ditto	3,490	0	0	1,000	0	0
Ditto...... Newfoundland .... from Ditto to Ditto	5,976	0	0	5,000	0	0
Ditto...... New South Wales....... from Ditto to Ditto	16,825	0	0	8,000	0	0
Ditto...... Sierra Leone .... from Ditto to Ditto	16,687	15	0	15,000	0	0

SERVICES—*continued.*	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
To make good the Deficiency of the Grant of Parliament for the year 1818; to enable his Majesty to provide for such Expenses of a Civil Nature, as do not form a part of the Ordinary Charges of the Civil List	79,154	8	9¼	79,154	8	9¼
To enable his Majesty to provide for such Expenses of a Civil Nature as do not form part of the Ordinary Charges of the Civil List; for 1819	300,000	0	0	251,897	11	1¼
To defray the Salaries to the Officers, and Expenses of the Court, and Receipt of Exchequer; for 1819	6,500	0	0	3,956	7	9
To defray the Expense of the Houses of Lords and Commons; for 1819	14,515	0	0	9,745	12	1
To defray the Salaries and Allowances to the Officers of Lords and Commons; for 1819	22,401	0	0	22,361	10	2
To make good the Deficiency of the Sum granted in the last Session of Parliament, to defray the Salaries and Allowances to the Officers of the Houses of Lords and Commons	923	4	1	923	4	1
Towards defraying the Expenses of Works, and Repairs of Public Buildings; for 1819	41,974	0	0	4,507	3	3
To defray the Expense of confining, maintaining, and employing Convicts at home; for 1819	74,932	0	0	65,000	0	0
To defray the Extraordinary Expenses that may be incurred for Prosecutions, &c. relating to the Coin of this Kingdom; for 1819	8,000	0	0	8,000	0	0
To defray the Expense of Law Charges; for 1819	20,000	0	0	20,000	0	0
To defray the Charge for printing Acts of Parliament, for the two Houses of Parliament, for the Sheriffs, Clerks of the Peace, and Chief Magistrates throughout the United Kingdom, and for the acting Justices throughout Great Britain; also for printing Bills, Reports, Evidence, and other Papers and Accounts for the House of Lords; for 1819	17,000	0	0	—		
To defray the Expense of printing the Votes of the House of Commons, during the present Session of Parliament	2,200	0	0	2,200	0	0
To defray the Deficiency of the Grant of 1817, for printing 1750 Copies of the 72nd Volume of Journals of the House of Commons	149	9	0	149	9	0
To make good the Deficiency of the Sum granted in the last Session of Parliament for making good the Deficiencies of the Fee Funds in the Departments of the Treasury, three Secretaries of State, and Privy Council	18,449	4	0	18,449	4	0
To make good the Deficiency of the Sum granted in the last Session of Parliament for defraying the Contingent Expenses and Messengers Bills in the Departments of the Treasury, the three Secretaries of State, and Lord Chamberlain	9,189	16	2	9,189	16	2
To make good the Deficiencies of the Fee Funds in the Departments of the Treasury, three Secretaries of State, and Privy Council; for 1819	90,727	0	0	65,167	8	0½
To defray the Contingent Expenses and Messengers Bills in the Departments of the Treasury, three Secretaries of State, and Lord Chamberlain; for 1819	73,700	0	0	73,700	0	0
Towards defraying the Charge of the Royal Military College; for 1819 £. 8,000 0 0 To complete the Sum required for defraying the Charge of Ditto from the 25th of Dec. 1818, to the 24th Dec. 1819 17,173 18 10	25,173	18	10	25,173	18	10
Towards defraying the Charge of the Royal Military Asylum; for 1819 £.8,000 0 0 To complete the Sum required for defraying the Charge of Ditto from the 25th Dec. 1818, to the 24th Dec. 1819 28,482 17 7	36,483	17	7	34,000	0	0
For his Majesty's Foreign and other Secret Services; for 1819	80,000	0	0	47,196	12	0
For making good the Deficiency of the Grant of 1818; for defraying the Expense of printing Bills, Reports, and other Papers, by Order of the House of Commons, during the last Session of Parliament	4,987	12	3	4,987	12	3
To make good the Deficiency of the Grant of 1818, for printing						

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
1,750 Copies of the 73rd Volume of Journals of the House of Commons	213	14	11	213	14	11
To defray the Expense of printing Bills, Reports, and other Papers, by order of the House of Commons, during the present Session of Parliament	21,000	0	0	21,000	0	0
To defray the Expense that may be incurred for reprinting Journals and Reports of the House of Commons; for 1819	3,000	0	0	—		
To defray the Expense that may be incurred for printing 1,750 Copies of the 74th Volume of the Journals of the House of Commons; for 1819	3,500	0	0	—		
To defray the Expense incurred for printing 1,250 Copies of the 50th Volume of Journals of the House of Peers	1,671	2	0	—		
For defraying the Deficiency of the Grant of 1818, for the Charge of Printing Acts of Parliament for the two Houses of Parliament, for the Sheriffs, Clerks of the Peace, and Chief Magistrates throughout the United Kingdom, and for the acting Justices throughout Great Britain; also for printing Bills, Reports, Evidence, and other Papers and Accounts for the House of Lords	2,577	8	5	—		
To defray the Amount of Bills drawn or to be drawn from New South Wales; for 1819	100,000	0	0	100,000	0	0
For discharging Interest on Exchequer Bills, Irish Treasury Bills and Mint Notes	1,570,000	0	0	445,000	0	0
One hundredth part of Forty-three Millions of Exchequer Bills, authorized, in the last Session of Parliament, to be issued and charged upon the Aids granted in the present Session, to be issued and paid by equal Quarterly Payments to the Governor and Company of the Bank of England, to be by them placed to the Account of the Commissioners for the Reduction of the National Debt; for the year ending the 1st day of February, 1820	430,000	0	0	322,500	0	0
To make good the Deficiency on the 5th April, 1819, of the Fee Fund at His Majesty's Receipt of Exchequer	23,097	17	4	—		
The following SERVICES are directed to be paid, without any Fee or other Deduction whatsoever:—						
To defray the Expense of confining and maintaining criminal Lunatics; for 1819	2,777	0	0	—		
To defray the Expense of the National Vaccine Establishment; for 1819	3,000	0	0	3,000	0	0
For the Relief of American Loyalists; for 1819	11,000	0	0	3,000	0	0
To defray the Charge of the Superannuation Allowances or Compensations to retired Clerks, and other Officers formerly employed in the Lottery Office; for 1819	251	10	0	—		
To defray the Charge of the Superannuation Allowances or Compensations to retired Clerks and other Officers formerly employed in the Office of the Commissioners for auditing the Public Accounts; for 1819	2,442	0	0	—		
To defray the Charge of Ditto Ditto formerly employed in His Majesty's Mint; for 1819	920	0	0	920	0	0
To defray the Charge of Ditto Ditto to one of the late Paymasters of Exchequer Bills; for 1819	266	13	4	—		
To defray the Charge of Ditto Ditto to Persons formerly employed on the Military Roads in North Britain; for 1819	558	0	0	558	0	0
To pay the Superannuation or retired Allowance to Master William Bell, formerly Master Shipwright at Kingston, in Canada, at the rate of £. 150 per annum, from the 30th June, 1818, to the 30th Dec. 1819	225	0	0	112	10	0
Towards defraying the Expense of building a Penitentiary House at Milbank; for 1819	60,000	0	0	39,900	0	0
To defray the Expense of the Establishment of Ditto from the 24th June 1819, to the 24th June 1820	21,000	0	0	8,000	0	0
For defraying the Expense of making an Inland Navigation from the Eastern to the Western Sea, by Inverness and Fort William; for 1819	50,000	0	0	15,000	0	0

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
For the support of the Institution called "The Refuge for the Destitute;" for 1819	5,000	0	0	5,000	0	0
To enable His Majesty to grant relief to Toulonese and Corsican Emigrants, Saint Domingo Sufferers, Dutch Naval Officers, and others, who have heretofore received Allowances from His Majesty, and who, from Services performed, or Losses sustained, in the British Service, have special Claims upon his Majesty's Justice or Liberality	52,662	14	1	20,000	0	0
Toward the Repair of Henry the Seventh's Chapel; for 1819 ...	3,169	13	0¾	3,169	13	0¾
To defray the Salaries and Allowances and Expenses for the Commissioners under the Treaties with Foreign Powers, for preventing the Illicit Traffic in Slaves; for 1819	24,800	0	0	16,156	8	0
To be applied towards the Expence to be incurred in the management of the British Museum; for 1819	10,018	16	8	10,018	16	8
To enable His Majesty to pay the same to the Governors of the Bounty of Queen Anne, for the Augmentation of the Maintenance of the poor Clergy, according to the Rules and Regulations by which the Funds of that Corporation are governed	100,000	0	0	—		
Towards enabling His Majesty to make provision for the Augmentation of the Maintenance of the poorer Clergy of Scotland, to be issued and applied pursuant to the Provisions of any Act passed for that purpose	10,000	0	0	—		
To defray 3 years and 95 days Interest due on the Sum of £.300,000 granted to the Portuguese Government in pursuance of a Convention signed at Vienna on the 21st Jan. 1815	48,904	2	2	48,904	2	2
To defray the Expense of sundry Improvements between Bangor Ferry and Chirk Bridge, in North Wales; for 1819	15,000	0	0	—		
For the Expense of Works carrying on at the College of Edinburgh; for 1819	10,000	0	0	—		
To defray the Expense of sundry Works proposed to be done in and about the Harbour of Holyhead; for 1819	12,500	0	0	—		
To defray the Expense of the Repairs upon the Cobb at Lyme Regis; for 1819	13,300	0	0	13,300	0	0
For the Board of Agriculture; for 1819	1,000	0	0	1,000	0	0
For defraying the Expense of maintaining and repairing the British Forts on the Coast of Africa; for 1819	28,000	0	0	28,000	0	0
To pay the Superannuation Allowances or Compensations to Andrew Allen and Edward Stanley, Esqrs. two of His Majesty's retired Consuls Abroad; for 1819	1,175	0	0	880	0	0
To enable His Majesty to issue, and cause to be paid to General Boyd, a Citizen and Officer of the United States of America, in consideration of the Saltpetre exported under the King's Licence, as Remuneration for a Service formerly rendered to this Country, in the East Indies, and for the Expenses and Trouble incurred in the prosecution of his Claim	6,000	0	0	6,000	0	0
For defraying the Charge of preparing and drawing the Lotteries for 1819, &c.	18,000	0	0	3,000	0	0
For defraying the Charge of the following SERVICES in IRELAND, which are directed to be paid Nett in British Currency.						
For the Remuneration of certain Public Officers in Ireland, for their extraordinary trouble in 1819	1,153	16	11	1,153	16	11
For defraying the probable Expenditure of the Board of Works in Ireland; for 1819	22,882	0	0	12,484	10	7½
For defraying the Charge of Printing, Stationary, and other Disbursements, for the Chief and Under Secretaries Offices and Apartments, and other Public Offices in Dublin Castle, &c.; and for Riding Charges and other Expenses of the Deputy Pursuivants and extra Messengers attending the said Offices; also Superannuated Allowances in the said Chief Secretary's Office; for one year ending the 5th Jan. 1820	20,684	0	0	14,935	5	1
For defraying the Expense of publishing Proclamations and other matters of a public nature, in the Dublin Gazette and other Newspapers in Ireland; for one year ending ditto	9,692	0	0	7,233	8	5
For defraying the Expense of printing 1,500 Copies of a com-						

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
pressed Quarto Edition of the Statutes of the United Kingdom, for the use of the Magistrates of Ireland, and also 250 Copies of a Folio Edition of the same, bound, for the use of the Lords, Bishops, and Public Officers in Ireland	3,439	0	0	1,205	5	9¼
For defraying the Expense of Criminal Prosecutions, and other Law Expenses in Ireland; for one year ending the 5th Jan. 1820	23,076	0	0	16,284	10	6
To defray the Expense of apprehending Public Offenders in Ireland; for one year ending Ditto	1,000	0	0	258	9	3
For completing the Sum necessary for the Support of Non-conforming Ministers in Ireland; for one year ending Ditto	8,651	1	7	6,470	15	9
For the support of the Seceding Ministers from the Synod of Ulster in Ireland; for one year ending the 25th March 1820	4,034	15	5	2,017	7	8½
For the support of Protestant Dissenting Ministers in Ireland; for one year ending the 5th Jan. 1820	756	0	0	756	0	0
For paying the Salaries of the Lottery Officers in Ireland; for one year ending 24th June 1819	1,741	16	11	1,741	16	11
For the Establishment and Maintenance of the Public Navigation in Ireland, vested in the Directors of the Inland Navigation; for 1819	4,480	0	0	4,480	0	0
For carrying on the Works at Dunmore Harbour; in the current year	12,000	0	0	7,384	12	3¾
To carry on the Works at Howth Harbour; in the current year	6,700	0	0	3,692	6	2
For clothing the Battle Axe Guards for 18 months, commencing from the 1st June 1819	683	1	6	683	1	6
For defraying the Charge of Clothing of His Majesty's Officers of Arms, Pursuivants, and State Trumpeters in Ireland, for three years, commencing the 17th March 1819	1,071	13	10	1,071	13	10
To defray the Expense of the Police and Watch Establishment of the City and District of Dublin; for the year ending the 5th Jan. 1820	26,600	0	0	26,600	0	0
To provide for Fever Cases in Ireland; for the year ending Ditto	10,000	0	0	10,000	0	0
To provide Utensils and Implements of Manufacture for the use of the New Bridewell, in Dublin	1,000	0	0	—		
To pay the Salaries of the Commissioners appointed to inquire into the Duties, Salaries, and Emoluments of the Officers, Clerks, and Ministers of Justice, in all Temporal and Ecclesiastical Courts in Ireland; for one year ending the 5th Jan. 1820	7,200	0	0	4,500	0	0
To enable the Lord Lieutenant of Ireland to issue Money from time to time, in aid of Schools established by Voluntary Contributions	3,000	0	0	—		
To make good the Advances made from His Majesty's Civil List in Ireland, pursuant to Addresses of the House of Commons, of the 8th July 1817, and the 2nd June 1818, for the remuneration of the Commissioners appointed to inquire into the Fees and Emoluments of Officers of the Courts of Justice in Ireland	17,076	18	5½	17,076	18	5½
To defray the Expense of building Churches and Glebe Houses, and of purchasing Glebes in Ireland; for one year ending the 5th Jan. 1820	9,230	0	0	—		
To further defray the Expense of Ditto Ditto for the same time	18,461	0	0	9,230	15	
To defray the Expense of the Trustees of the Linen and Hempen Manufactures of Ireland; for one year ending the 5th day of January 1820, to be by the said Trustees applied in such manner as shall appear to them to be most conducive to promote and encourage the said Manufactures	19,938	9	2¾	19,938	9	2¾
To defray the Expense of the Commissioners for making wide and convenient Streets in the City of Dublin; for one year ending the 5th Jan. 1820	11,000	0	0	11,000	0	0
To defray an additional Allowance to the Chairman of the Board of Inland Navigation in Ireland; for 1819	276	18	5½	276	18	5½
To defray the Expense of putting the House of the Royal Irish Academy, in Grafton Street, into perfect Repair	300	0	0	300	0	0
To defray the Expense of supporting the Protestant Charter Schools of Ireland; for one year ending the 5th Jan. 1820	24,000	0	0	24,000	0	0
To defray the Expense of the Foundling Hospital at Dublin; for one year ending Ditto	30,000	0	0	30,000	0	0
For supporting the House of Industry, Hospitals and Asylum for Industrious Children in Dublin; for one year ending Ditto	32,000	0	0	32,000	0	0

SERVICES—*continued*.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To defray the Expense of supporting the Richmond Lunatic Asylum in Dublin; for one year ending 5th Jan. 1820	6,655	0	0	6,655	0	0
To defray the Expense of the Hibernian Society for Soldiers Children; for one year ending Ditto	9,200	0	0	9,200	0	0
To defray the probable charge of the Hibernian Marine Society in Dublin; for one year ending Ditto	1,800	0	0	1,800	0	0
To defray the Expense of the Female Orphan House, in the Circular Road, near Dublin; for one year ending Ditto	2,600	0	0	2,600	0	0
For supporting the Westmoreland Lock Hospital in Dublin; for one year ending the 4th Jan. 1820	8,000	0	0	6,000	0	0
For supporting the Lying-in Hospital in Dublin; for one year ending the 5th Jan. 1820	3,300	0	0	3,300	0	0
To defray the probable Expense of Dr. Stevens's Hospital; for one year ending the 5th Jan. 1820	1,400	0	0	1,400	0	0
To defray the Expense of the Fever Hospital and House of Recovery, Cork-street, Dublin; for one year ending Ditto	4,600	0	0	4,600	0	0
To defray the Expense of the Hospital of Incurables in Dublin; for one year ending Ditto	460	0	0	460	0	0
To defray the Charge of the Establishment of the Roman Catholic Seminary in Ireland; for one year ending Ditto	8,928	0	0	8,928	0	0
To defray the Expenses of the Association incorporated for discountenancing Vice, and promoting the knowledge and practice of the Christian Religion; for one year ending Ditto	3,430	0	0	3,430	0	0
For defraying the Charge of the Green Coat Hospital of the City of Cork; for one year ending Ditto	100	0	0	100	0	0
For defraying the Charge of the Cork Institution; for one year ending Ditto	2,300	0	0	2,300	0	0
To defray the Expenses of the Society for promoting the Education of the Poor of Ireland; for one year ending Ditto	5,538	0	0	5,538	0	0
To defray the Expenses of the Dublin Society; for one year ending Ditto	9,200	0	0	9,200	0	0
To defray the Expenses of the Farming Society of Ireland; for one year ending Ditto	3,000	0	0	3,000	0	0
To defray the Civil Contingencies in Ireland; for the year ending Ditto	20,000	0	0	15,764	3	5
	20,506,449	8	1¾	15,464,822	14	3
To discharge the like Amount of Supplies, granted for the Service of the year 1818, remaining unprovided for	8,046,100	0	0	802,012	2	2¾
	28,552,549	8	1¾	16,266,834	16	5¾
To pay off and discharge Exchequer Bills, &c.	36,553,900	0	0	7,410,500	0	0
To pay off and discharge Treasury Bills, &c.	4,400,000	0	0	2,200,000	0	0
	69,506,449	8	1¾	25,877,334	16	5¾

PAYMENTS FOR OTHER SERVICES,

Not being part of the SUPPLIES granted for the Service of the Year.

	£.	s.	d.
James Fisher, Esq. on his Salary, for additional trouble in preparing Exchequer Bills, pursuant to Act 48, Geo. 3, cap. 1	375	0	0
Bank of England, for Management of Life Annuities	1,435	16	11¾
Expenses in the Office of the Commissioners for the Reduction of the National Debt	5,000	0	0
Expenses in the Office of the Commissioners for issuing Commercial Exchequer Bills	2,000	0	0
Expenses in the Office of the Commissioners for issuing Exchequer Bills for building additional Churches, per Act 58, Geo. 3, cap. 45	2,396	13	3¾
Repayment of Annuities claimed pursuant to Act 56, Geo. 3, cap. 142	37	10	0
	11,245	0	3½
Amount of Sums voted, as above	69,506,449	8	1¾
TOTAL Sums voted, and Payments for Services not voted	69,517,694	8	5¼

WAYS AND MEANS

for answering the foregoing SERVICES.

				£.	s.	d.
Duty on Malt, Sugar, Tobacco, and Snuff, and on Pensions, Offices, &c. continued				3,000,000	0	0
Excise Duties, continued per Act 56 Geo. 3, cap. 17				3,500,000	0	0
Profits of Lotteries				240,000	0	0
Monies to arise from the Sale of Old Naval and Victualling Stores				334,487	0	0
Loan per Act 59, Geo. 3, cap. 42				12,000,000	0	0
Ditto Ditto 71, from the Commissioners for the Reduction of the National Debt				12,000,000	0	0
Surplus of the Grants for the year 1818				244,892	18	9¾
Interest on Land Tax redeemed by Money				267	0	0¾
Unclaimed Dividends, &c. after deducting Repayments to the Bank for Deficiencies of Balance in their hands				56,973	19	6
				31,376,620	18	4½
Exchequer Bills voted in Ways and Means, 59 Geo. 3, cap. 4...£.	20,000,000	0	0			
Ditto 131	16,500,000	0	0			
	36,500,000	0	0			
Irish Treasury Bills, 59 Geo. 3, cap. 132	2,000,000	0	0			
				38,500,000	0	0
TOTAL Ways and Means				69,876,620	18	4½
TOTAL Sums voted, and Payments for Services not voted				69,517,694	8	5¼
Surplus Ways and Means				358,926	9	11¼

Whitehall Treasury Chambers,
27th April, 1820.

C. ARBUTHNOT.

I N D E X

TO VOL. IV.

NEW SERIES.

INDEX TO DEBATES IN THE HOUSE OF LORDS.

Address on the King's Speech on Opening the Session, 3.

Commerce of the Country; State of the, 824.
Commercial Distress; Petition from Birmingham relative to, 350, 824.

Foreign Trade, 824.

Ireland; Law of Treason in, 938.

King's Speech on Opening the Session, 3.

Law of Treason in Ireland, 938.

Naples; Conduct of the Allied Powers with regard to, 116, 742, 1039, 1468.

Queen; Petitions relative to the, 104.
Queen's Annuity Bill, 797.

Trade; Petition from Birmingham relative to the Decline of, 350.

INDEX TO DEBATES IN THE HOUSE OF COMMONS.

Address on the King's Speech at the Opening of the Session, 37, 95.
African Company Abolition Bill, 823.
Agricultural Distress, 360, 895, 1139.
American Loyalists, 1380.
Army Estimates, 1172, 1227, 1258, 1514.
Attorney and Solicitor, 666.
Austrian Loan, 1219.

Bank Cash Payments Bill, 1315.
Bank Notes, 286, 803.
Best, Mr. Justice; Complaint of the Conduct of, 918.
Birmingham, Trade of, 523.
Board of Control, 574.
Bowditches; Case of the, 687.
Breach of Privilege, 287, 338, 1161, 1246.
Bread, 1257.
British Museum, 723.
Broadhurst, Nathan; Petition of, 1128.
Buonaparté, 1495.

Capital Crimes Defence Bill, 945.
Carlisle Election; Interference of the Military at, 1247.
Chester; Conduct of the Sheriff of, 554, 811, 1512.
Committee of Supply, 138, 339.
Committee of Ways and Means, 563.
Corn Averages, 940.
County Courts Rate, 1264.

Davison, Thomas; Petition of, complaining of the Conduct of Mr. Justice Best, 918, 1132.
Detention of a British subject at Ghent, 562.
Distributors of Stamps, 1401.
Dublin Petition, complaining of the Conduct of the High Sheriff, 901.

Ellis, Mr. 1084.

Foreign Trade, 425.

Grampound Disfranchisement Bill, 583, 1068, 1077, 1338.

House and Window Duties, 1100.
Hull Poor-Rates Bill, 795.
Husbandry Horse Duties, 1078.

Ilchester Gaol, 1170.
India; Censorship of the Press in, 553.
Ionian Islands, 933.
Ireland; Criminal Law of, 1161.
Ireland; State of Education in, 1034.
Irish Union Duties, 720.

Judges, right of the, to fine a Defendant during the Course of his Defence, 1132.

King's Speech on Opening the Session, 37, 95.

London Gazette; Complaint of an Address published in the, 287, 338.

Master in Chancery in Ireland; Duties of, 1084.
Machinery; Petition against, 579.
Malt Duties, 683, 1383.
M'Dougall, Mr.; his Petition, complaining of his Detention at Ghent, 562.
Metropolis Turnpike Trusts Bill, 946.
Milan Commission, 836.
Murat, Execution of, 948.

Naples, 837, 1350.
Navy Estimates, 342.
Nottingham Petition for the Impeachment of Ministers, 804.

Ordnance Estimates, 726.

Parliamentary Reform, 222.

Queen, The, 26, 66, 103, 119, 139, 221, 228, 236, 280, 308, 324, 361, 429, 511, 553, 580, 606, 608, 620, 689, 836.

Receivers General of Land and Assessed Taxes, 1401.
Revenue Accounts, 298.
Revenue; State of the, 1100.
Roman Catholic Claims, 949, 961, 1066, 1265, 1269, 1412, 1445, 1473, 1489, 1497, 1523.
Romeo, Captain; Petition of, 1345.

Scotch Court of Admiralty, 715, 939.
Scotch Juries Bill, 670, 717.
Scotland; Church of, 689.
Sheriffs; Conduct of, 554, 667, 811, 901.
Slave Trade, 428.
Smuggling Preventive Service, 681.
Stock; Transfer of, 1082.

Timber Duties, 542, 1500.
Trade of the Country, 523.
Transfer of Stock, 1082.

Vagrant Laws, 1216.

Water Works, 422.
Ways and Means; Committee of, 563.
West India Dock Company, 947.

INDEX OF NAMES.—HOUSE OF LORDS.

Aberdeen, Earl of, 1056, 1472.
Anson, Viscount, 116.

Bathurst, Earl, 1049.
Bedford, Duke of, 115.
Belmore, Earl of, 3.
Blesington, Earl of, 114, 802.

Calthorp, Lord, 360, 788, 802, 1055.
Canterbury, Archbishop of, 799.
Carnarvon, Earl of, 107, 109, 115.

Darnley, Earl of, 104, 105, 106, 797, 835.

Eldon, Lord, *see* Lord Chancellor.
Ellenborough, Lord, 24, 26, 107, 115, 785, 800, 828, 1051, 1468.
Erskine, Lord, 104, 833.

Grey, Earl, 6, 113, 116, 118, 350, 742, 789, 835.
Grosvenor, Earl, 105.

Harrowby, Earl of, 780.
Holland, Lord, 17, 23, 24, 25, 26, 107, 111, 771, 780, 938, 1057.

King, Lord, 834.

Lansdown, Marquis of, 106, 110, 356, 802, 824, 1039.
Leinster, Duke of, 114.
Limerick, Earl of, 801, 938.
Liverpool, Earl of, 12, 23, 24, 105, 112, 118, 354, 760, 797, 829, 1063.
Lord Chancellor [Eldon], 26, 799.

Prudhoe, Lord, 5.

Wellington, Duke of, 108, 110.
Westmoreland, Earl of, 1055.

INDEX OF NAMES.—HOUSE OF COMMONS.

Abercromby, Hon. James, 222, 234, 1073, 1096, 1497.
Acland, Sir Thomas, 82, 137, 322, 658, 1466.
A'Court, E. H. 1362.
Althorp, Viscount, 513, 578, 721, 929, 1072, 1265, 1503.
Astell, William, 332, 579.
Attorney General [Sir Robert Gifford], 183, 468, 922, 1265, 1514.

Bankes, Henry, 27, 388, 1261, 1285, 1446.
Bankes, George, 37, 931.
Barham, John Foster, 950, 1155, 1169.
Baring, Alexander, 135, 226, 306, 335, 340, 427, 530, 539, 607, 901, 943, 948, 1070, 1171, 1138. 1317, 1494, 1516,
Bathurst, Right Hon. Charles Bragge, 32, 33, 64, 254, 297, 350, 380, 575, 599, 809, 913, 1292.
Beaumont, T. W. 281, 586, 603, 667.
Becher, W. W. 1440.
Beckett, Right Hon. John, 1255.
Bective, Earl of, 916.
Belgrave, Lord, 136, 554, 562, 819.
Bennet, Hon. Henry Grey, 68, 282, 287, 343, 443, 689, 805, 1152, 1163, 1209, 1256.
Benett, John, 71.
Bentinck, Lord W. 1349.
Bernal, Ralph, 131, 608, 609, 614, 930, 1130, 1209, 1258.
Binning, Lord, 233, 578, 679, 806, 1247, 1538.
Birch, Joseph, 126.
Blake, Sir Francis, 227, 323, 573, 619, 927, 1243, 1466.
Boughton, Rouse, 130.
Bourne, Sturges, 578.
Bridges, G. 665.
Bright, Henry, 266, 558, 664, 716, 725, 928, 1081, 1268, 1466.
Brougham, Henry, 78, 212, 235, 263, 278, 309, 316, 323, 497, 809, 892.
Browne, James, 44, 261.
Browne, D. 571, 1013, 1155.

INDEX.

Brownlow, Charles, 1097, 1427.
Burdett, Sir Francis, 75, 77, 458.
Burrell, Walter, 1151.
Burrell, Sir Charles, 582, 1079.
Bury, Lord, 1013.
Butterworth, Joseph, 227, 581, 1184.
Buxton, Thomas Fowell, 1172.

Calcraft, John, 222, 1115, 1161, 1175, 1212, 1244, 1255, 1450.
Colvert, C. 236, 513, 609, 1072.
Calvert, N. 604, 1229.
Canning, Right Hon. George, 1301, 1365, 1454, 1493, 1542.
Castlereagh, Viscount, 26, 27, 28, 53, 67, 68, 69, 71, 76, 78, 79, 96, 98, 100, 101, 104, 202, 238, 240, 268, 273, 290, 316, 361, 429, 486, 518, 617, 618, 669, 689, 710, 714, 807, 820, 837, 865, 915, 927, 929, 937, 948, 1026, 1074, 1097, 1137, 1166, 1167, 1186, 1210, 1225, 1243, 1252, 1347, 1349, 1355, 1399, 1411, 1444, 1478, 1491, 1499.
Cavendish, Lord George, 1394.
Chancellor of the Exchequer [Right Hon. Nicholas Vansittart], 35, 280, 286, 301, 305, 307, 339, 341, 344, 563, 566, 607, 608, 684, 722, 932, 1080, 1083, 1110, 1170, 1315, 1383, 1393, 1409, 1495.
Chetwynd, George, 1216, 1265.
Clerk, Sir George, 344.
Clive, Henry, 688.
Cockburn, Sir George, 345, 348, 682.
Coffin, Sir Isaac, 552, 947.
Colborne, N. R. 725.
Copley, Sir John, *see* Solicitor General.
Courtenay, W. 1070, 1075, 1380.
Courtenay, T. P. 578.
Creevey, Thomas, 33, 138, 325, 327, 342, 343, 349, 561, 564, 576, 669, 683, 715, 716, 811, 821, 916, 939, 1164, 1170, 1172.
Cripps, Joseph, 1333.
Croker, J. W. 1412, 1496, 1497.
Curtis, Sir William, 331.
Curwen, John Christian, 45, 69, 287, 311, 427, 526, 529, 580, 582, 720, 803, 817, 895, 923, 931, 944, 947, 1078, 1082, 1147, 1253.

Davenport, D. 663, 815.
Davis, Colonel, 567, 685, 886, 937, 1080, 1168, 1175, 1198, 1261, 1520.
Dawson, G. R. 1014, 1203.
De Crespigny, Sir W. 132, 135, 222, 513, 573, 608.
Denison, W. J. 120, 121, 512.
Denman, Thomas, 125, 126, 222, 229, 318, 515, 520, 562, 578, 579, 804, 809, 918, 932, 1074, 1136, 1138.
Dickinson, W. 1171.
Dodson, Dr. 179.
Douglas, Keith, 1400.
Dugdale, D. S. 523.
Dundas, Charles, 120, 614.
Dundas, Right Hon. W. 231.

Ebrington, Lord, 511.
Egerton, W. 558, 815.
Ellice, Edward, 895, 1124, 1333, 1386.
Ellis, Charles, 153.
Ellis, Thomas, 911, 1092, 1533.
Estcourt, T. G. 74, 77,
Evans, William, 1243.

Fergusson, Sir Rowland, 67, 69, 122, 232, 235, 742, 836, 931, 1238, 1240, 1246.
Fitzgerald, Maurice, 312, 577, 722, 909, 1025, 1034, 1492.
Fitzgibbon, Richard, 949, 1530.
Fleming, John, 133.
Folkestone, Viscount, 27, 60, 64, 80, 257, 1137, 1395.
Forbes, Charles, 235, 322, 346.
Freemantle, W. H. 422.

Gascoyne, Isaac, 1161.
Gifford, Sir Robert, *see* Attorney General.
Gilbert, Davies, 287, 586, 804, 946.
Gipps, George, 317, 816.
Gladstone, John, 327, 328, 347, 572.
Glenorchy, Lord, 695, 959.
Gordon, Robert, 74, 298, 824.
Gooch, T. 360, 1139.
Goulburn, Henry, 935, 1237, 1439, 1485, 1537.
Grant, Right Hon. Sir Charles, 234, 907, 1021, 1036, 1168, 1208, 1424, 1522.
Grant, J. P. 681, 713, 720, 913, 928, 1239.
Grattan, James, 1466.
Grenfell, Pascoe, 223, 286, 303, 339, 582, 584, 900, 950, 1080.
Grosset, J. R. 1439.
Gurney, Hudson, 589, 725, 1337.

Hamilton, Lord Archibald, 139, 158, 688, 714, 1167, 1394, 1412.
Harbord, Hon. E. 613, 1219, 1257.
Hardinge, Sir H. 1235, 1259.
Harvey, Sir E. 345.
Heathcote, J. G. 127.
Heron, Sir Robert, 101, 610.
Heygate, Alderman, 82, 88, 94, 217, 559, 605.
Hill, Sir George, 1026, 1493, 1528.
Hobhouse, John Cam, 123, 158, 223, 614, 921, 1077, 1130, 1132, 1168, 1186, 1187, 1188, 1230, 1339.
Honywood, W. P. 127, 521, 1151.
Hornby, Edmund, 1129.
Hume, Joseph, 32, 74, 85, 102, 103, 230, 231, 235, 240, 271, 343, 345, 542, 568, 574, 685, 726, 933, 1078, 1176, 1230, 1260, 1345, 1350, 1401, 1495, 1496, 1514, 1515, 1517, 1521, 1522.
Hurst, R. 346, 1073.
Huskisson, Right Hon. William, 436, 570, 607, 608, 795, 930, 1080, 1119, 1165, 1213, 1238, 1596.
Hutchinson, Hon. C. H. 720, 929, 1167, 1261, 1362, 1489, 1497, 1531.

Irving, John, 340, 944.
James, William, 101, 119, 1128, 1247.
Jervoise, J. P. 132.

Kennedy, T. F. 233, 670, 719.
Knatchbull, Sir Edward, 120, 522, 1141.

Lamb, Hon. W. 95, 261, 663.
Lambton, John George, 70, 71, 221, 223, 281, 368, 553, 1131.
Lawley, F. 524.
Legge, Hon. H. 640.
Lemon, Sir William, 65.
Lennard, T. B. 280, 600, 651, 723, 1090.
Lethbridge, Sir Thomas, 310, 312, 684, 949, 1266, 1445, 1497.
Lewis, Frankland, 796, 944, 947.
Littelton, E. J. 525, 529, 581, 601, 721, 1258, 1399.
Lockhart, J. 90, 567, 585, 612, 925, 945, 1073, 1079, 1130, 1259, 1264, 1384.

INDEX.

Long, Sir Charles, 724, 931, 1164, 1523.
Lord Advocate of Scotland [Sir William Rae], 232, 696, 715, 717, 720, 939.
Lowther, Lord, 316, 1253, 1256.
Lushington, Stephen Rumbold, 275, 347, 349, 522, 1123.
Lushington, Dr. 78, 82, 611, 613, 1084, 1171.

Maberly, John, 298, 306, 514, 1100, 1213.
Maberly, W. L. 513.
Macdonald, James, 514, 1204, 1227.
Mackenzie, Thomas, 1385.
Mackintosh, Sir James, 33, 189, 394, 704, 836, 837, 893, 914, 1004, 1244, 1249, 1268, 1294, 1350, 1376, 1410, 1435, 1483, 1513.
Mansfield, John, 686.
Marryat, James, 344, 542, 657, 823, 947, 1503.
Martin, James, 686.
Martin, Richard, 126, 181, 267, 272, 584, 613, 619, 650, 913, 945, 1030, 1072, 1261, 1445, 1494, 1497, 1512.
Maxwell, J. 598, 714.
Milton, Lord, 33, 120, 199, 231, 273, 333, 415, 658, 1068, 1072.
Monck, J. B. 128, 512, 1073, 1080, 1167, 1399.
Moore, Abraham, 821.
Moore, Peter, 1494.
Musgrave, Sir P. 1249.

Newport, Sir John, 183, 222, 288, 297, 302, 339, 428, 561, 571, 586, 618, 662, 686, 721, 912, 932, 1165, 1226, 1412, 1477.
Nicholl, Sir John, 1423, 1478.
Nolen, Michael, 946.
Nugent, Lord, 93, 94, 228, 279, 1413, 951.

O'Grady, Mr. 1522, 1529.
Ommaney, Sir F. 346.
Onslow, Mr. Sergeant, 34, 124, 228, 580, 585, 666, 1130, 1136.

Palmer, Fyshe, 125, 1264.
Palmerston, Viscount, 1174, 1187, 1189, 1244, 1263, 1516, 1519, 1522.
Parnell, Sir Henry, 339, 720, 742, 1037, 1259, 1521.
Pearse, John, 66, 75, 1332.
Peel, Right Hon. R. 404, 721, 913, 988, 1067, 1073, 1095, 1298, 1332, 1441, 1474, 1492, 1539.
Peel, William, 529.
Pelham, C. A. 611.
Philips, George, 224, 307, 338, 561, 587, 816.
Phillimore, Dr. 1384, 1440, 1492.
Plunkett, Right Hon. W. C. 960, 961, 1066, 1099, 1266, 1269, 1285.
Pole, Right Hon. W. W. 134, 448.
Price, Robert, 283.

Ricardo, David, 341, 535, 541, 553, 944, 1122, 1155, 1328.
Rice, T. Spring, 949, 1037, 1161, 1530.
Ridley, Sir Matthew White, 281, 808, 1165.
Robinson, Right Hon. Frederick, 102, 155, 530, 596, 717, 889, 940, 947, 1144, 1535.
Robinson, Sir G. 280, 614.
Russell, Lord John, 78, 137, 270, 583, 602, 901, 922, 1075, 1338.

Scarlett, James, 34, 200, 295, 926, 1075, 1138.
Scott, Sir William, 1284, 1413, 1523.
Sebright, Sir John, 912.
Sefton, Lord, 324.
Shaw, Robert, 915.
Sibthorp, G. W. 609.
Smith, C. 271, 606.
Smith, William, 138, 428, 576, 716, 1263, 1382.
Smith, Robert, 610, 1219.
Smith, John, 328, 620, 1127, 1521.
Solicitor General [Sir John Copley], 34, 196, 924.
Speaker, The [Right Hon. Charles Manners Sutton], 26, 27, 134, 200, 213, 221, 222, 240, 519, 924, 1091, 1168, 1451.
Stanley, Lord, 127, 273, 1130,
Stuart-Wortley, J. 225, 269, 272, 273, 279, 562, 604, 649, 885, 1068, 1072, 1077, 1162, 1166, 1168, 1412.
Sumner, Holme, 273, 278, 279, 308, 313, 513, 605, 944, 1395.
Sutton, Right Hon. Charles Manners, *see* Speaker.
Sykes, Daniel, 69, 122, 313, 796, 1338.

Talbot, Colonel, 905.
Tavistock, Marquis of, 65, 130, 361.
Taylor, Michael Angelo, 423, 680, 719.
Tennyson, Charles, 73, 629, 1344.
Tierney, Right Hon. George, 26, 29, 32, 33, 47, 244, 471, 608, 886, 889.
Tremayne, J. H. 346, 1151.
Twiss, Horace, 418, 1415.
Tynte, C. K. 65.

Vansittart, Right Hon. Nicholas, *see* Chancellor of the Exchequer.
Vernon, G. G. V. 228.
Vivian, Sir H. 1208, 1229.

Wallace, T. 425, 1165, 1500.
Ward, Robert, 570, 736.
Ward, Hon. J. W. 590, 890, 1362.
Warre, J. A. 64, 97, 681, 687, 689, 820, 950.
Warrender, Sir G. 235, 342, 343, 346.
Wells, John, 334.
Western, C. C. 67, 237, 280, 312, 535, 573, 1153, 1384.
Wetherell, Charles, 26, 27, 31, 103, 162, 239, 1428, 1482.
White, Luke, 1023.
Whitmore, Mr. 384, 1150.
Wilberforce, William, 644, 883, 1262, 1289, 1383, 1399.
Wilbraham, Bootle, 559, 809, 817.
Williams, William, 121.
Wilmot, R. J. 321, 598, 654.
Wilson, Sir Robert, 66, 98, 128, 227, 235, 324, 430, 522, 553, 579, 609, 685, 806, 879, 949, 1069, 1130, 1164, 1242, 1350, 1379, 1496.
Wilson, Thomas, 337, 585, 614, 1161.
Wodehouse, E. 64, 1152, 1394.
Wood, Alderman Matthew, 277, 279, 314, 334, 520, 613, 1170, 1172.
Wood, Colonel, 1241.
Wynn, Charles Watkin Williams, 594, 641, 805, 808, 818, 916, 930, 1092, 1130, 1136, 1138, 1253.
Wyvill, Marmaduke, 119, 222.

Yorke, Sir Joseph, 1514.

END OF VOL. IV.

Printed by T. C. Hansard, Peterboro' Court, Fleet Street, London.

UL 21 JAN 1958 Recovered